



## Comment-Response Document 2013-24

# Requirements for apron management services at aerodromes

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

Related Opinion No 02/2014

### EXECUTIVE SUMMARY

This Comment-Response Document (CRD) contains the comments received on NPA 2013-24 (published on 18 December 2013) and the responses provided thereto by the Agency.

The purpose of the NPA was to propose amendments to Annexes II, III and IV to Regulation (EU) No 139/2014 which lays down requirements and administrative procedures related to aerodromes, by introducing specific requirements for providers of apron management services.

Following an Agency assessment of the comments received, it can be concluded that there is a general support and acceptance of the proposed amendments. Suggestions for clarifications and changes to the proposed text has also been considered by the Agency and many of them have been included in the final text.

Based on the comments and responses, Opinion No 02/2014 was developed.

For information, the Agency includes in this CRD the set of draft AMC/GM, which will undergo further process and will be finalised upon the adoption of the Implementing Rules.

| Applicability                       |                                                                                                                    | Process map                                 |           |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------|
| Affected regulations and decisions: | Commission Regulation (EU) No 139/2014<br>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:                | 2013/Q4   |
|                                     |                                                                                                                    | Duration of NPA consultation:               | 3 months  |
|                                     |                                                                                                                    | Review group:                               | No        |
|                                     |                                                                                                                    | Focussed consultation:                      | Yes       |
|                                     |                                                                                                                    | Publication date of the Opinion:            | 2014/Q3   |
|                                     |                                                                                                                    | Publication date of the Decision:           | 2015/Q2   |



## Table of contents

|                                                            |    |
|------------------------------------------------------------|----|
| 1. Procedural information .....                            | 3  |
| 1.1. The rule development procedure .....                  | 3  |
| 1.2. The structure of this CRD and related documents ..... | 3  |
| 1.3. The next steps in the procedure.....                  | 3  |
| 2. Summary of comments and responses .....                 | 4  |
| 3. Draft CS, AMC, GM ( <i>optional</i> ) .....             | 5  |
| 4. Individual comments (and responses) .....               | 61 |



## 1. Procedural information

### 1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed this Comment-Response Document (CRD) 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 Regulation and AMC/GM have 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>, which was published on 18 December 2013. 1 187 comments were received from interested parties, including industry, national aviation authorities, and social partners.

The text of this CRD has been developed by the Agency based on consultation meetings held with national aviation authorities and industry during June 2014.

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

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

This CRD provides the full set of individual comments (and responses thereto) received to NPA 2013-24. The resulting rule text is provided in Chapter 3 of this CRD.

### 1.3. The next steps in the procedure

The Opinion, containing the proposed changes to Regulation (EU) No 139/2014, and is addressed to the European Commission, is published together with this CRD.

The Decision containing CS, AMC and GM will be published by the Agency when the related Implementing Rules are adopted by the Commission.

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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 2012.

<sup>3</sup> See: <http://easa.europa.eu/document-library/notices-of-proposed-amendment>



## 2. Summary of comments and responses

In total, 1 187 comments have been received during the consultation of the NPA. The comments were made by 48 stakeholders on 160 segments on this NPA. The commentators were 20 aerodrome operators, 7 aerodrome associations, 4 air traffic services providers, 10 national aviation authorities, 1 airline, 4 professional associations, 1 European Organisation (EUROCONTROL) and 1 individual. These 1 187 comments were responded as follows: 575 were accepted, 68 were partially accepted, 425 were noted and 119 were not accepted.

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.

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 operation 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' service.



### 3. Draft amendment to AMC/GM to Regulation (EU) No 139/2014

#### 3.1. Draft amendment to AMC/GM to Annex II (Part-ADR.AR)

##### SUBPART A — GENERAL REQUIREMENTS (ADR.AR.A)

###### GM1 ADR.AR.A.010(b) Oversight documentation

###### AVAILABILITY OF DOCUMENTATION TO THIRD PARTIES

The legislative acts, standards, rules, technical publications, and similar documents should be made available, in a timely manner, to the aerodrome operators, providers of apron management services, and any other interested party in various ways and formats, such as via its website, the government's official gazette, or any other similar means.

[...]

###### GM1 ADR.AR.A.040(b) Safety Directives

[...]

Member States' Competent Authorities may issue directives (which may be called operational directives, or otherwise) during its oversight activities, such as an instruction to the aerodrome operator or provider of apron management services to abstain from a certain activity, or a positive action (e.g. cutting of trees which are found to penetrate the OLS, or the removal of certain object from the aerodrome, etc.) needed to maintain the level of safety. Such directives are not meant to be forwarded to the Agency.

##### SUBPART B — MANAGEMENT (ADR.AR.B)

###### AMC2 ADR.AR.B.005(a)(2) Management system

###### QUALIFICATION AND TRAINING -AERODROME INSPECTORS

(a) Initial training should encompass:

[...]

(3) On-the-job training

[...]

(b) The scope and elements to be covered during the on-the-job training:

(i) Preparation of an audit/inspection:

(A) sources of information for preparation of audit/inspection;

(B) areas of concern and/or open findings;

(C) selection of aerodrome operator(s) or providers of apron management services to be audited/inspected; and

(D) task allocation among members of the audit/inspection team.

[...]



**GM1 ADR.AR.B.005(a)(2) Management System**

## SUFFICIENT PERSONNEL

[...]

(b) The elements to be considered when determining required personnel and planning their availability, may be divided into quantitative and qualitative elements:

(1) Quantitative elements:

- (i) the number of initial certificates to be issued;
- (ii) the number of aerodromes and aerodrome operators certified by the Competent Authority;
- (iii) the number of providers of apron management services ~~having declared their activity to the Competent Authority;~~
- (iv) the number of planned aerodrome audits and inspections; and
- (v) the number of expected changes to the aerodrome infrastructure.

(2) Qualitative elements:

- (i) the size, nature, and complexity of activities of aerodromes and aerodrome operators, as well as providers of apron management services:
  - (A) privileges of the aerodrome operator or provider of apron management services;

[...]

(d) In line with the Competent Authority's oversight policy, the following planning data should be determined specifically for each aerodrome and aerodrome operator, as well as for ~~declared~~ providers of apron management services:

[...]

**GM2 ADR.AR.B.005(a)(2) Management system**

## AERODROME INSPECTORS — DUTIES

- (a) An aerodrome inspector is considered to be any person to whom the Competent Authority has formally assigned tasks related to the safety oversight of aerodromes and providers of apron management services.
- (b) Apart from the aerodrome oversight tasks, an aerodrome inspector may also undertake other tasks that the Competent Authority finds necessary.

**GM1 ADR.AR.B.010 Allocation of tasks to qualified entities**

## CERTIFICATION TASKS

The tasks that may be performed by qualified entities on behalf of the Competent Authority may include any tasks related to the initial certification and continuing oversight of aerodromes and aerodrome operators, as well as ~~declared~~ providers of apron management services, with the exclusion of the issuance of certificates or approvals.



**AMC1 ADR.AR.B.020(a)(4);(a)(5) Record keeping**

AERODROMES — AERODROME OPERATORS — APRON MANAGEMENT SERVICE PROVIDERS

Records related to a certified aerodrome and its aerodrome operator, or the provider of apron management services ~~having declared its activity to the Competent Authority~~ should include, as appropriate to the type of organisation:

[...]

**AMC1 ADR.AR.B.020(c) Record keeping**

AERODROMES — AERODROME OPERATORS — PROVIDERS OF APRON MANAGEMENT SERVICES

[...]

(c) Records which are considered to be related to a provider of apron management services, and to be maintained for the lifespan of the certificate or declaration include but are not limited to the following:

- (1) applications submitted;
- (2) documentation related to alternative means of compliance used;
- (3) safety assessments;
- (4) declarations made by the applicant;
- (5) current version of the operations manual, and evidence of its evaluation; and
- (6) approvals granted.

~~(c) For providers of apron management services, records include, but may not be limited to, the declarations, and the relevant documentation submitted by the providers.~~

**GM2 ADR.AR.B.020(a) Record keeping**

AERODROMES — AERODROME OPERATORS — PROVIDERS OF APRON MANAGEMENT SERVICES — DOCUMENTATION

Documentation to be kept as records in support of the certificate or approval includes the management system documentation, including any technical manuals, such as the aerodrome manual or for provider of apron management services the operations manual, that have been submitted with the initial application, and any amendments to these documents.

**SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C)****GM1 ADR.AR.C.005 Oversight**

GENERAL

- (a) The responsibility for the safe operation of an aerodrome lies with the aerodrome operator. Notwithstanding the responsibilities of the aerodrome operator, the provider of apron management services, where established, is responsible for the safe provision of the apron management services. Under these provisions, a positive move is made towards devolving upon the aerodrome operator or the provider of apron management services a share of the responsibility for monitoring the safety of operations. The objective cannot be attained unless aerodrome operators or providers of apron management services are prepared to accept the implications of this policy, including that of committing the necessary resources to its



implementation. Crucial to success of the policy is the content of Part-ADR.OR which requires the establishment of a management system by the aerodrome operator or the provider of apron management services.

[...]

#### **AMC1 ADR.AR.C.010 Oversight programme**

##### PROCEDURES FOR OVERSIGHT OF AERODROME OPERATORS AND PROVIDERS OF APRON MANAGEMENT SERVICES

- (a) The Competent Authority should assign an appropriate focal point for each aerodrome operator, and each provider of apron management services. Where more than one aerodrome inspector is assigned to an aerodrome operator or a provider of apron management services, one of them should be nominated as having overall responsibility for supervision of, and liaison with the aerodrome operator's or provider of apron management services management, and be responsible for reporting on compliance with the requirements for its operations as a whole.
- (b) Inspections, audits, and oversight procedures, on a scale and frequency appropriate to the operation, should include, but not be limited to, and where appropriate to, items from the following list:

[...]

- (d) Aerodrome inspectors should analyse and assess the root cause(s) identified by the aerodrome operator or the provider of apron management services, and be satisfied that the corrective actions taken are adequate to correct the non-compliance, and to prevent reoccurrence.

[...]

#### **GM1 ADR.AR.C.010 Oversight programme**

##### PROCEDURES FOR OVERSIGHT OF AERODROME OPERATORS AND PROVIDERS OF APRON MANAGEMENT SERVICES

In addition to its regulatory oversight, the Competent Authority may establish national groups for the prevention of runway excursions and incursions as part of a national Runway Safety Steering Group. Membership of the groups could include representatives from industry such as aerodromes, providers of apron management services, aircraft operators, air traffic services, industry safety groups, (local) runway safety committee members and appropriate representatives from the Competent Authority.

[...]

#### **AMC1 ADR.AR.C.010(b);(e) Oversight programme**

##### AUDIT

[...]

- (b) Part of an audit should concentrate on the aerodrome operator's compliance monitoring reports to determine if the aerodrome operator or the provider of apron management services is identifying the root causes and correcting its problems.

[...]



**AMC1 ADR.AR.C.010(b);(c);(e) Oversight programme**

## OVERSIGHT PLANNING CYCLE

[...]

- (b) The oversight planning cycle and related oversight programme for each aerodrome operator or provider of apron management services should be reviewed annually.

[...]

- (d) During each oversight planning cycle, the Competent Authority should convene meetings with the accountable manager of the aerodrome operator or the provider of apron management services, or his/her delegate.

**AMC2 ADR.AR.C.010(b);(c) Oversight programme**

## OVERSIGHT PLANNING CYCLE

- (a) For each aerodrome operator and provider of apron management services certified by the Competent Authority, all processes should be audited at periods not exceeding the applicable oversight planning cycle. The beginning of the first oversight planning cycle is normally determined by the date of issue of the first certificate. If the Competent Authority wishes to align the oversight planning cycle with the calendar year, it should shorten the first oversight planning cycle accordingly.

[...]

**GM1 ADR.AR.C.010(b);(e) Oversight programme**

## INDUSTRY STANDARDS

- (a) For aerodrome operators or providers of apron management services having demonstrated compliance with industry standards, the Competent Authority may adapt its oversight programme, in order to avoid duplication of specific audit items.

[...]

**GM2 ADR.AR.C.010(b);(e) Oversight programme**

## FINANCIAL SITUATION

Examples of trends which may indicate problems in a new aerodrome operator's or provider of apron management services financial situation could be:

[...]

**GM1 ADR.AR.C.015 Initiation of the certification process**

## INITIAL INTEREST

[...]

During this meeting, the applicant should present to the authority its plans with regard to the aerodrome or the provision of apron management services. The applicant should also make arrangements so that its key personnel are present during this meeting.

In addition, during this meeting, the Competent Authority should provide general information to the applicant about the applicable requirements for the aerodrome or for the provision of apron



management services. It should also provide copies of the applicable requirements, application forms, and any other relevant documentation, and describe the procedures that are followed during the certification process.

[...]

#### **GM2 ADR.AR.C.015(b) Initiation of the certification process**

##### **CERTIFICATION OF ESTABLISHED PROVIDERS OF APRON MANAGEMENT SERVICES**

The certification period of an already established provider of apron management services should not exceed 12 months from the filing of the application by the applicant to the granting of the certificate.

#### **GM1 ADR.AR.C.035(a) Issuance of certificates**

##### **NOMINATED PERSONS**

When an aerodrome operator or a provider of apron management services submits the name of a nominee for the nominated persons (see ADR.OR.D.015 and ADR.OR.D.016), the Competent Authority should assess his/her qualifications and may interview the nominee or call for additional evidence of his/her suitability.

#### **GM2 ADR.AR.C.035(a) Issuance of certificates**

##### **NOMINATED PERSONS — INTERVIEW WITH THE APPOINTED ACCOUNTABLE MANAGER, AND NOMINATED PERSONS**

Possible cases where an interview/meeting with nominated persons may be necessary are amongst others:

- (a) start of operations before issuing a first certificate for an aerodrome or for a provider of apron management services; and
- (b) change of nominated persons at an aerodrome or a provider of apron management services already certified.

[...]

#### **GM3 ADR.AR.C.035(a) Issuance of certificates**

**EVALUATION OF SAFETY ASSESSMENTS PROVIDED BY THE AERODROME OPERATOR OR THE PROVIDER OF APRON MANAGEMENT SERVICES AT THE INITIAL CERTIFICATION OR ACCOMPANYING A REQUEST FOR PRIOR APPROVAL OF A CHANGE IN ACCORDANCE WITH ADR.OR.B.040.**

- (a) The Competent Authority should evaluate the conclusion of a submitted safety assessment provided by the aerodrome operator or the provider of apron management services, to ensure compliance with the relevant requirement for the operator on how to assess changes under ADR.OR.B.040(f).

[...]

- (c) After its evaluation, the Competent Authority should either:

- (1) agree to the proposed associated actions, such as mitigation measures; or
- (2) coordinate with the aerodrome operator or the provider of apron management services to reach an agreement on revised mitigation measures if some risks have been underestimated, or have not been identified; or



[...]

- (e) When necessary, the Competent Authority should require the aerodrome operator or the provider of apron management services to promulgate appropriate information, for use by their aerodrome organisation, various stakeholders, and notably by the air navigation service providers and aircraft operators.

**AMC1 ADR.AR.C.035(b)(21) Issuance of certificates**

ISSUANCE OF SEPARATE CERTIFICATES – AERODROMES AND AERODROME OPERATORS

[...]

**GM1 ADR.AR.C.035(b)(21) Issuance of certificates**

**AMC1 ADR.AR.C.035(b)(2) Issuance of certificates**

PROVIDER OF APRON MANAGEMENT SERVICES AT SEVERAL AERODROMES

In case a provider of apron management services provides services at several aerodromes, these should be listed on the terms of the certificate of the provider of apron management services.

**AMC1 ADR.AR.C.035(c) Issuance of certificates**

VERIFICATION OF COMPLIANCE

- (a) Upon receipt of an application for a certificate, the Competent Authority should:

[...]

- (2) verify if the application shows compliance with the applicable requirements. The Competent Authority should also arrange for the steps to be followed during the certification process. For aerodromes and aerodrome operators, This this would, normally, start with the demonstration of compliance of the aerodrome with the established and notified certification basis (see AMC2 ADR.AR.C.015(c)) which will require the conduct of technical inspections by the Competent Authority and/or examination of submitted documentation, the participation to demonstrations, or tests conducted by the applicant, as the case may be, and the Competent Authority determines appropriate. This should also include the cases where the certification basis includes provisions for which the Competent Authority has accepted the applicant to demonstrate an equivalent level of safety to, or cases of special conditions, as applicable;

If the Competent Authority is not satisfied with the outcome of the demonstration process for any elements of the certification basis, it should notify the applicant in writing. At the end of this phase, the Competent Authority should have documented evidence that the aerodrome meets the notified certification basis;

- (3) review the aerodrome manual or, for providers of apron management services, the operations manual, which should be prepared in accordance with ADR.OR. E.005 or ADR.OR.F.005 respectively, and any other documentation provided by the applicant; and
- (4) verify compliance with the applicable requirements of Part ADR.OR, Part ADR.OPS, as well as any other applicable requirement. When verifying compliance with such requirements, an audit should be conducted covering the following areas:



[...]

- (iv) documentation on which the certificate should be granted (organisation documentation as required by Part-ADR.OR, including technical manuals, such as the aerodrome manual, operations manual, etc.); and

[...]

- (b) The Competent Authority should be satisfied with the demonstration of compliance of the aerodrome manual or the operations manual with the requirements referred to in ADR.OR.E.005 or ADR.OR.F.005 respectively and the related AMCs.

[...]

#### **AMC1 ADR.AR.C.035(h) Issuance of certificates**

##### APPROVAL OF THE PROCEDURE FOR THE MANAGEMENT AND NOTIFICATION OF CHANGES

The Competent Authority should establish and document its process to be followed by the aerodrome inspectors when assessing the scope of the changes in the procedure proposed by the aerodrome operator or the provider of apron management services to be followed for the management and notification of the changes. Criteria to be used include but are not limited to:

[...]

- (h) previous conduct of the aerodrome operator or the provider of apron management services; and
- (i) effectiveness of the safety management system of the aerodrome operator or the provider of apron management services.

#### **AMC2 ADR.AR.C.040(a) Changes**

##### CHANGES REQUIRING PRIOR APPROVAL

- (a) Upon receiving an application for a proposed change that requires a prior approval, the Competent Authority should, in due time:
  - (1) assess the proposed change in relation to the certification basis, if applicable, and the applicable requirements of Part-ADR.OR, Part-ADR.OPS, as well as any other applicable requirements;
  - (2) assess if the aerodrome operator or the provider of apron management services has identified all the applicable certification specifications, applicable requirements of Part-ADR.OR, Part-ADR.OPS, or other applicable requirements which are related to or affected by the change, as well as any proposal of the applicant for the demonstration of an equivalent level of safety;
  - (3) assess the actions proposed by the aerodrome operator or the provider of apron management services in order to show compliance with (1) and (2) above;
  - (4) review and assess the content of proposed changes to the aerodrome manual or the operations manual; and
  - (5) evaluate the safety assessment that has been submitted by the aerodrome operator or the provider of apron management services, in accordance with GM3 ADR.AR.C.035(a) and verify its compliance with ADR.OR.B.040(f).

[...]



- (e) The Competent Authority should, in due time, verify the compliance of the aerodrome operator or the provider of apron management services and, depending on the change, examine the need for prescribing any condition for the operation of the aerodrome or the provision of apron management services during the change.

[...]

#### **AMC1 ADR.AR.C.040(a);(f) Changes**

##### GENERAL

- (a) Changes in nominated persons: The Competent Authority should be informed of any changes to nominated persons (see ADR.OR.D.015 and ADR.OR.D.016) that may affect the certificate or the terms of approval attached to it. When an aerodrome operator or a provider of apron management services submits the name of a nominee for the nominated persons, the Competent Authority should assess his/her qualifications, and may interview the nominee, or call for additional evidence of his/her suitability. (see GM1 ADR.AR.C.035(a)).

- (b) The Competent Authority should receive from the aerodrome operator and the provider of apron management services each management system documentation amendment, including amendments that do not require prior approval by the Competent Authority. A documented systematic approach should be used for maintaining the information on when an amendment was received by the Competent Authority and when it was approved.

[...]

- (d) For changes requiring prior approval, in order to verify the aerodrome operator's or the provider of apron management services compliance with the applicable requirements, the Competent Authority should consider the need to conduct an audit of the operator, limited to the extent of the changes. If required for verification, the audit should include additional interviews and inspections carried out at the aerodrome operator's or provider of apron management services facilities, as applicable.

#### **GM1 ADR.AR.C.040(d) Changes**

##### CONDITIONS UNDER WHICH TO OPERATE DURING A CHANGE

The conditions or limitations under which an aerodrome operator or a provider of apron management services can operate during a change should be approved by the authority but should usually be elaborated between the operator and the authority upon suggestion of the aerodrome operator or the provider of apron management services.

#### **GM3 ADR.AR.C.055 Findings, observations, corrective actions, and enforcement measures**

##### CATEGORIES OF FINDINGS — DOCUMENTARY EVIDENCE

Examples of documentary evidence include but are not limited to:

- (a) aerodrome, operations or equipment manuals;

[...]



### 3.2. Draft amendment to AMC/GM to Annex III (Part ADR.OR)

#### Part Organisation Requirements — Aerodrome Operators and Providers of Apron Management Services (Part ADR.OR)

[...]

#### SUBPART B — CERTIFICATION AND DECLARATION (ADR.OR.B)

##### AMC1 ADR.OR.B.015(b)(1);(2);(3);(4) Application for a certificate — aerodrome operators

[...]

- (d) The applicant should provide the Competent Authority documentation to demonstrate how ~~he/she~~ it will comply with the applicable requirements of the Basic Regulation, Part-ADR.OR, and Part-ADR.OPS, and any other applicable requirements that are matching the aerodrome design and its operation.

##### AMC1 ADR.OR.B.020(a) Application for a certificate — providers of apron management services APPLICATION

The application should be made in writing, and be signed by the applicant, using a standardised form established by the Competent Authority.

##### AMC1 ADR.OR.B.020(b)(1);(2);(3) Application for a certificate — providers of apron management services INFORMATION TO BE PROVIDED TO THE COMPETENT AUTHORITY

- (a) The applicant should:
- (1) provide its telephone, fax number and email address for communication with the Competent Authority; and
  - (2) indicate the names of its employees whom the Competent Authority would contact in order to address any issues that might arise during the evaluation of the application and the certification process.
- (b) The applicant should provide the Competent Authority with the following:
- (1) a list of the aerodromes where apron management services will be provided; and
  - (2) details of the areas where apron management services will be provided; and
  - (3) agreement or preliminary agreement with the aerodrome operator for the provision of the services
- (c) The applicant should provide the Competent Authority with documentation to demonstrate how compliance with the applicable requirements of Regulation (EC) No 216/2008, Part ADR.OR, Part ADR.OPS and any other applicable requirements that are matching the provision of apron management services will be achieved.



**AMC1 ADR.OR.B.020(b)(4) Application for a certificate — providers of apron management services**  
ADEQUACY OF RESOURCES

The applicant should provide all the necessary information needed in order to demonstrate to the Competent Authority that its proposed organisation and management are suitable and properly matched to the scale and scope of the operation.

The provider of apron management services should have the ability to discharge its responsibilities with regard to safety. The accountable manager should have access, as well as the authorisation, to the necessary resources to ensure that operations are carried out in accordance with the applicable requirements. The resources include but are not limited to personnel, tools and equipment, as well as financial resources.

**GM1 ADR.OR.B.020(b)(4) Application for a certificate — providers of apron management services**  
ADEQUACY OF RESOURCES

## (a) General

In demonstrating to the Competent Authority the suitability of its organisation and management, the applicant should, amongst others, take into account in the analysis the following:

- (1) the size and complexity of the apron;
- (2) the level and the density of the traffic;
- (3) the operating hours of the aerodrome;
- (4) the amount of full-time equivalents (FTEs) necessary for each activity;
- (5) human factors principles; and
- (6) labour legislation.

## (b) Adequacy of financial resources

The financial resources required are linked to the overall objective for the safe provision of apron management services, including its capability to implement the corrective actions needed, in a timely manner. Information that may be provided to the Competent Authority includes audited accounts of the previous financial year, business plans, etc.

**AMC1 ADR.OR.B.020(b)(5) Application for a certificate — providers of apron management services**  
INFORMATION TO BE PROVIDED FOR MANAGEMENT PERSONNEL

The applicant should provide information regarding the qualifications and experience of the accountable manager, and the other nominated persons required.

**AMC1 ADR.OR.B.020(b)(6) Application for a certificate — providers of apron management services**  
OPERATIONS MANUAL

The operations manual and its amendments may be submitted to the Competent Authority in electronic format if this is acceptable to the Competent Authority. If the operations manual is submitted in electronic format, the format should be such that allows the Competent Authority to review, store and reproduce it.



**AMC 1 ADR.OR.B.025(a)(1) Demonstration of compliance — aerodromes and their operators**

[...]

**AMC2 ADR.OR.B.025(a)(1) Demonstration of compliance — aerodromes and their operators**

[...]

**GM1 ADR.OR.B.025(a)(3) Demonstration of compliance — aerodromes and their operators**

[...]

**AMC1 ADR.OR.B.026(a)(1) Demonstration of compliance — providers of apron management services****USE OF THIRD PARTIES TO DEMONSTRATE COMPLIANCE**

While performing the necessary actions, inspections, tests, safety assessments, or exercises necessary to demonstrate compliance, the provider of apron management services may also use contracted third parties.

In any case, the responsibility remains with the provider of apron management services.

**AMC1 ADR.OR.B.040(a);(bc) Changes****CHANGES REQUIRING PRIOR APPROVAL — AERODROME OPERATOR**

[...]

**GM1 ADR.OR.B.040(a);(bc) Changes****CHANGES REQUIRING PRIOR APPROVAL — AERODROME OPERATOR**

[...]

**AMC1 ADR.OR.B.040(b);(c) Changes****CHANGES REQUIRING PRIOR APPROVAL — PROVIDER OF APRON MANAGEMENT SERVICES**

The provider of apron management services should ensure that prior to initiating any change to the provision of apron management services, which requires prior approval, an application is submitted to the Competent Authority. The applicant should provide documentation containing a description of the proposed change, in which the following are identified:

- (a) the terms of the certificate and/or the safety-critical aerodrome equipment used for the provision of apron management services, and/or its management system, (as required by ADR.OR.D.005(b)), and the parts of the operations manual which are affected by the change;
- (b) the requirements of Part ADR.OR and Part-ADR.OPS, and any other applicable requirements that have to be complied with as a result of the proposed change, including the way in which compliance is intended to be demonstrated; and
- (c) the safety assessments as required under ADR.OR.B.040 (f).



**GM1 ADR.OR.B.040(b);(c) Changes****CHANGES REQUIRING PRIOR APPROVAL — PROVIDER OF APRON MANAGEMENT SERVICES**

The following is a list of items which should be granted prior approval by the Competent Authority, as specified in the applicable Implementing Rules:

- (a) Use of alternative means of compliance as required by ADR.OR.A.015 — Means of Compliance;
- (b) Changes to the management and notification procedure for changes not requiring a prior approval, as required by ADR.OR.B.040(b)(1) — Changes;
- (c) Changes to the terms of the certificate as required by ADR.OR.B.040(b)(1) — Changes;
- (d) Changes to safety-critical aerodrome equipment related to the provision of apron management services as required by ADR.OR.B.040(b)(1) — Changes;
- (e) Changes significantly affecting elements of the operator's management system as required by ADR.OR.D.005(a)(2) — Management;

**GM1 ADR.OR.B.040(fh) Changes**

[...]

**GM2 ADR.OR.B.040(fh) Changes**

[...]

**GM3 ADR.OR.B.040(fh) Changes**

[...]

**AMC1 ADR.OR.B.065 Termination of operation — aerodrome operators**

[...]

**AMC1 ADR.OR.B.070 Termination of operation — provider of apron management services****TERMINATION OF OPERATION**

In case of intended termination of the provision of apron management services, the provider of apron management services should notify, in writing, the Competent Authority and the aerodrome operator. The notification should be done in such time in advance, so as to enable appropriate measures to be taken for the continuation of the service, if deemed necessary, and to allow for the timely publication of the changes, and their notification by the Aeronautical Information Regulation and Control (AIRAC) system in accordance with the related timeframe.

**SUBPART C — ADDITIONAL AERODROME OPERATOR AND PROVIDER OF APRON MANAGEMENT SERVICES RESPONSIBILITIES (ADR.OR.C)****AMC1 ADR.OR.C.020(ab)(2) Findings****GENERAL**

The corrective action plan defined by the aerodrome operator or the provider of apron management services should address the effects of the non-compliance, as well as its root cause.



**SUBPART D — MANAGEMENT (ADR.OR.D)****AMC1 ADR.OR.D.005(b)(1) Management system**

## SAFETY MANAGEMENT SYSTEM

The safety management system of an aerodrome operator or a provider of apron management services should encompass safety by establishing an organisational structure for the management of safety proportionate and appropriate to the size of the aerodrome operator or the provider of apron management services, and the nature and type of operations. The organisational structure should include a Safety Review Board, and depending on its organisational complexity and structure, a Safety Services Office to assist the work of the safety manager, in accordance with paragraph (a) and (b) below:

## (a) Safety Services Office

- (1) The safety manager (see ADR.OR.D.015 and AMC1 ADR.OR.D.015(c) for aerodrome operators and ADR.OR.D.016 and AMC1 ADR.OR.D.016(c) for providers of apron management services) should be responsible for the operation of the Safety Services Office which should be independent and neutral in terms of the processes and decisions made regarding the delivery of services by the line managers of operational units.

[...]

- (3) Operators of multiple aerodromes or providers of apron management services at multiple aerodromes should either establish a central Safety Services Office and appropriate safety departments/functions at all aerodromes or separate Safety Services Office at each aerodrome. Arrangements should be made to ensure continuous flow of information and adequate coordination.

## (b) Safety Review Board

[...]

- (6) Operators of multiple aerodromes and providers of apron management services should either establish a central Safety Review Board, or separate Safety Review Boards for each aerodrome or group of aerodromes. In the case of central or group Safety Review Groups, they should ensure that all aerodromes are represented in the Safety Review Board, at the appropriate management level. Arrangements should be made to ensure continuous flow of information and adequate coordination.

In less complex aerodrome organisations/operations or providers of apron management services, the aerodrome operator or the provider of apron management services should nominate a person who fulfils the role of safety manager, and who is responsible for coordinating the safety management system (see ADR.OR.D.015 and AMC1 ADR.OR.D.015(c) for aerodrome operators and ADR.OR.D.016 and AMC1.ADR.OR.D.016(c) for providers of apron management services).



**GM1 ADR.OR.D.005(b)(2) Management system**

## SAFETY POLICY

- (a) Safety policy — General

The safety policy is the means whereby the aerodrome operator or the provider of apron management services states its intention to maintain and, where practicable, improve safety levels in all its activities, and to minimise its contribution to the risk of an aircraft accident as far as reasonably practicable.

[...]

**GM1 ADR.OR.D.005(b)(3) Management system**

## HAZARD IDENTIFICATION

- (a) Hazard identification — General

[...]

- (3) The methods used for hazard identification depend on the resources and constraints of each particular aerodrome operator or provider of apron management services, and on the size and the complexity of the operations. Nevertheless, hazard identification, regardless of implementation, complexity and size, is part of the aerodrome operator's or provider of apron management services safety documentation. Under mature safety management practices, hazard identification is a continuous, ongoing daily activity. It is an integral part of the aerodrome operator's or provider of apron management services processes. There are three specific conditions under which special attention to hazard identification should be paid. These three conditions should trigger more in depth and far reaching hazard identification activities and include:

- i. any time that the aerodrome operator or the provider of apron management services experiences an unexplained increase in safety related events or regulatory infractions;

[...]

**GM1 ADR.OR.D.005(b)(4) Management system**

## SAFETY RISK ASSESSMENT AND MITIGATION

Safety (risk) assessment is the analysis of the safety risks of the consequences of the hazards that have been determined. Safety risk analysis breaks down the risks into two components — the probability of occurrence of a damaging event or condition, and the severity of the event or condition, should it occur. Safety risk decision making and acceptance should be specified through a risk tolerability matrix. The definition and final construction of the matrix should be left to the aerodrome operator or provider of apron management services to design, be documented in the aerodrome manual or operations manual respectively, and be subject to an approval by the Competent Authority.

**AMC1 ADR.OR.D.005(b)(5) Management system**

## SAFETY PERFORMANCE MONITORING AND MEASUREMENT

- (a) Safety performance monitoring and measurement should be the process by which the safety performance of the aerodrome operator or the provider of apron management services is verified in comparison to the safety policy and objectives, identified safety risks and the mitigation measures.



- (b) This process should include the setting of safety performance indicators, and measuring the aerodrome operator's or provider of apron management services safety performance against them.

**GM1 ADR.OR.D.005(b)(5) Management system**

## SAFETY PERFORMANCE MONITORING AND MEASUREMENT

- (a) The performance monitoring and measurement process should include:

[...]

- (4) safety audits which focus in the integrity of the aerodrome operator's or provider of apron management services management system, and periodically assess the status of safety risk controls;

[...]

**AMC1 ADR.OR.D.005(b)(6) Management system**

## THE MANAGEMENT OF CHANGE

The aerodrome operator and the provider of apron management services should manage safety risks related to a change. The management of change should be a documented process to identify external and internal change that may have an adverse effect on safety.

It should make use of the aerodrome operator's or provider of apron management services existing hazard identification, safety (risk) assessment, and mitigation processes.

**GM1 ADR.OR.D.005(b)(6) Management system**

## THE MANAGEMENT OF CHANGE

[...]

- (c) System description is one of the fundamental preliminary activities in the planning of the safety management system, to determine a baseline hazard analysis for the baseline system.

As part of the formal process of the management of change, the system description and the baseline hazard analysis should be reviewed periodically, even if circumstances of change are not present, to determine their continued validity.

When changes to the system are made, and periodically thereafter, the aerodrome operator or the provider of apron management services should go over its system and its actual operational environment, in order to make sure it continues to be fully aware of the circumstances under which the provision of services takes place.

[...]

**AMC1 ADR.OR.D.005(b)(7) Management system**

## CONTINUOUS IMPROVEMENT OF THE SAFETY MANAGEMENT SYSTEM

The aerodrome operator and the provider of apron management services should continuously seek to improve their safety performance. The aerodrome operator and the provider of apron management services should develop and maintain a relevant formal process. Continuous improvement should be achieved through:



[...]

**AMC1 ADR.OR.D.005(b)(8) Management system**

SAFETY MANAGEMENT SYSTEM TRAINING — AERODROME OPERATORS

[...]

**AMC1 ADR.OR.D.005(b)(9) Management system**

SAFETY MANAGEMENT SYSTEM TRAINING — PROVIDERS OF APRON MANAGEMENT SERVICES

- (a) The provider of apron management services should establish a safety management system training programme for its personnel involved in the provision of the services, including all management personnel (e.g. supervisors, managers, senior managers, and the accountable manager), regardless of their level in the organisation.
- (b) The amount and level of detail of safety training should be proportionate and appropriate to the individual's responsibility and involvement in the safety management system.
- (c) The safety management system training programme should be developed in accordance with AMC1 ADR.OR.D.018(a);(b) and be incorporated in the training programme foreseen therein.

**GM1 ADR.OR.D.005(b)(9) Management system**

The training requirements described in GM1 ADR.OPS.D.005(b)(8) are equally applicable.

**AMC1 ADR.OR.D.005(b)(910) Management system**

SAFETY COMMUNICATION

- (a) The aerodrome operator and the provider of apron management services should communicate safety management system objectives and procedures to all operational personnel, and the safety management system and its application should be evident in all aspects of operations.

[...]

**GM1 ADR.OR.D.005(b)(910) Management system**

SAFETY COMMUNICATION

- (a) The aerodrome operator and the provider of apron management services, may use the following tools to communicate safety information:

[...]

**AMC1 ADR.OR.D.005(b)(1011) Management system**

COORDINATION OF THE AERODROME EMERGENCY RESPONSE PLAN

[...]

**GM1 ADR.OR.D.005(b)(1011) Management system**

COORDINATION OF THE AERODROME EMERGENCY RESPONSE PLAN

[...]

**AMC1 ADR.OR.D.005(b)(1112) Management system**

COMPLIANCE MONITORING

- (a) Compliance monitoring



- (1) The implementation and use of a compliance monitoring process should enable the aerodrome operator and the provider of apron management services to monitor compliance with the relevant requirements of this Part, Part ADR.OPS, as well as any other applicable regulatory requirements, or requirements established by the aerodrome operator and the provider of apron management services.

The aerodrome operator and the provider of apron management services should specify the basic structure of the compliance monitoring applicable to the activities conducted.

[...]

- (2) An aerodrome operator and a provider of apron management services should monitor compliance with the procedures it has designed, to ensure safe activities. In doing so, an aerodrome operator they should as a minimum, and where appropriate, monitor compliance with:

- (i) privileges of the aerodrome operator or the provider of apron management services;

[...]

(b) Organisational set-up

- (1) A person should be responsible for compliance monitoring.

The accountable manager, with regards to his/her direct accountability for safety, should ensure, in accordance with ADR.OR.D.015(a) for aerodrome operators and ADR.OR.D.016(a) for providers of apron management services, that sufficient resources are allocated for compliance monitoring. In the case the person responsible for the compliance monitoring acts also as safety manager, the accountable manager should ensure that sufficient resources are allocated to both functions, taking into account the size of the aerodrome operator or the provider of apron management services, and the nature and complexity of its activities.

[...]

- (3) Personnel involved in compliance monitoring should have access to any part of the aerodrome or provider of apron management services organisation, and any contracted organisation as required.

(c) Compliance monitoring documentation

- (1) Relevant documentation should include the relevant part(s) of the aerodrome operator's or provider of apron management services management system documentation.

- (2) In addition, relevant documentation should also include the following:

[...]

- (iii) a description of the organisation of the aerodrome operator or the provider of apron management services;

[...]

(d) Training



- (1) Correct and thorough training is essential to optimise compliance in every aerodrome operator and provider of apron management services. In order to achieve significant outcomes of such training, the aerodrome operator and the provider of apron management services should ensure that all personnel understand the objectives as laid down in their operator's management system documentation.

[...]

- (e) Compliance monitoring — audit scheduling

- (1) A defined audit schedule to be completed during a specified calendar period and a periodic review cycle for each area should be established. The compliance monitoring itself should also be audited according to a defined audit schedule. The schedule should allow for unscheduled audits when trends are identified. Follow-up audits should be scheduled to verify that corrective action was carried out, and that it was effective and completed, in accordance with the policies and procedures specified in the aerodrome manual or the operations manual.

[...]

- (4) Similarly, the management system key processes of a provider of apron management services and the delivery of the service should be audited within the first 12 months since the date of the issuance of the certificate or the submission of declaration.

- (5) After that, the provider of apron management services should consider the results of its past compliance monitoring activities in order to adapt the calendar period within which an audit or a series of audits should be conducted, to cover its management system key processes and the delivery of the service in a manner, and at intervals set out in the operations manual. The Competent Authority may agree to increase this calendar period, up to 36 months, provided that there are no level 1 findings, and subject to being satisfied that the provider of apron management services has a good record of rectifying findings in a timely manner.

#### **AMC2 ADR.OR.D.005(b)(11-12) Management system**

##### RESPONSIBILITY FOR COMPLIANCE MONITORING

- (a) The responsibility for the compliance monitoring should:

[...]

- (2) not be with one of the persons referred to in ADR.OR.D.015(b) or ADR.OR.D.015(c) for aerodrome operators and ADR.OR.D.016(b) or ADR.OR.D.016(c) for providers of apron management services, except that in less complex aerodrome organisations/operations or providers of apron management services, it may also be with the accountable manager or the person referred to in ADR.OR.D.015(c) or ADR.OR.D.016(c) respectively.

[...]

- (c) Persons allocated with the responsibility for the compliance monitoring of a provider of apron management services should have:

- (1) adequate experience and expertise in aerodrome operations, or provision of apron management services or air traffic services;



- (2) adequate knowledge of, and experience in safety management and quality assurance;
- (3) knowledge of the aerodrome manual and the operations manual; and
- (4) comprehensive knowledge of the applicable requirements in the area of aerodromes, apron management services or air traffic services.

**GM1 ADR.OR.D.005(b)(1112) Management system**

## COMPLIANCE MONITORING — GENERAL

- (a) The organisational set-up of the compliance monitoring should reflect the size of the aerodrome operator or the provider of apron management services, and the nature and complexity of its activities. The person responsible for the compliance monitoring may perform all audits and inspections himself/herself, or appoint one or more auditors by choosing personnel having the related competence as defined in paragraph (b) of AMC2 ADR.OR.D.005(b)(1112) either from within, or outside the aerodrome operator or the provider of apron management services.
- (b) Regardless of the option chosen, it must be ensured that the independence of the audit function is not affected, in particular, in cases where those performing the audit or inspection are also responsible for other functions for the aerodrome operator or the provider of apron management services.
- (c) In case external personnel are used to perform compliance audits or inspections:  
[...]
  - (2) the aerodrome operator and the provider of apron management services remains responsible to ensure that the external personnel has relevant knowledge, background, and experience as appropriate to the activities being audited or inspected, including knowledge and experience in compliance monitoring.
- (d) The aerodrome operator and the provider of apron management services retains the ultimate responsibility for the effectiveness of the compliance monitoring, in particular for the effective implementation and follow-up of all corrective actions.

**AMC1 ADR.OR.D.005(c) Management system**

## AERODROME OPERATOR AND PROVIDER OF APRON MANAGEMENT SERVICES MANAGEMENT SYSTEM DOCUMENTATION

The aerodrome operator and the provider of apron management services should ensure that the documented management system key processes include a process for making personnel aware of their responsibilities, as well as its amendment procedure.

The aerodrome operator's and the provider of apron management services management system documentation should, at least, include the following information:

- (a) a statement signed by the accountable manager to confirm that the aerodrome operator or the provider of apron management services will continuously work in accordance with the applicable requirements and the operator's documentation;
- (b) the aerodrome operator's or provider of apron management services scope of activities;
- (c) the titles and names of persons referred to in ADR.OR.D.015 for aerodrome operators and ADR OR.D.016 for providers of apron management services and AMC2-ADR.OR.D.005(b)(1112);



[...]

- (f) procedures specifying how the aerodrome operator or the provider of apron management services ensures compliance with the applicable requirements;

[...]

**AMC2 ADR.OR.D.005(c) Management system**

AERODROME OPERATOR AND PROVIDER OF APRON MANAGEMENT SERVICES SAFETY MANAGEMENT MANUAL

- (a) In cases where safety management is set out in a Safety Management Manual, it should be the key instrument for communicating the approach to safety for the aerodrome operator and the provider of apron management services. The Safety Management Manual should document all aspects of safety management, including the safety policy, objectives, procedures, and individual safety responsibilities.

[...]

**GM1 ADR.OR.D.005(c) Management system**

AERODROME OPERATOR AND PROVIDER OF APRON MANAGEMENT SERVICES MANAGEMENT SYSTEM DOCUMENTATION

It is not required to duplicate information in several manuals. The Safety Management Manual is considered to be a part of the aerodrome manual for aerodrome operators or the operations manual for providers of apron management services.

**AMC1 ADR.OR.D.015(a) Personnel requirements — aerodrome operators**

[...]

**GM1 ADR.OR.D.015(a) Personnel requirements — aerodrome operators**

[...]

**AMC1 ADR.OR.D.015(b) Personnel requirements — aerodrome operators**

[...]

**GM1 ADR.OR.D.015(b) Personnel requirements — aerodrome operators**

[...]

**AMC1 ADR.OR.D.015(c) Personnel requirements — aerodrome operators**

[...]

- (d) The safety manager should not be one of the persons referred to in ADR.OR.D.015(b) or AMC2 ADR.OR.D.005(b)(1112). However, in the case of less complex aerodrome organisations/operations, the safety manager may be the accountable manager, or one of the persons referred to in ADR.OR.D.015(b), or AMC2 ADR.OR.D.005(b)(1112), or any other person at appropriate management level, provided that he/she can act independently of other managers within the organisation of the aerodrome operator, and has direct access to the accountable manager and to appropriate management for safety matters.

**AMC1 ADR.OR.D.015(d) Personnel requirements — aerodrome operators**



[...]

**GM1 ADR. OR.D.015(d) Personnel requirements — aerodrome operators**

[...]

**AMC1 ADR.OR.D.015(d);(e) Personnel requirements — aerodrome operators**

[...]

**GM1 ADR.OR.D.015(d);(e) Personnel requirements — aerodrome operators**

[...]

**AMC1 ADR.OR.D.016(a) Personnel requirements — providers of apron management services**  
**ACCOUNTABLE MANAGER**

**(a) Accountable manager — General**

**(1) The accountable manager should:**

- (i) ensure that all necessary resources are available to deliver the services in accordance with the applicable requirements, the aerodrome manual and the operations manual;**
- (ii) ensure that if there is a reduction in the level of resources or abnormal circumstances which may affect safety, the required reduction in the level of operations at the aerodrome is implemented in cooperation with the aerodrome operator and the air traffic services provider;**
- (iii) establish, implement, and promote the safety policy; and**
- (iv) ensure compliance with relevant applicable requirements and the organisation's safety management system.**

**(2) The accountable manager should have:**

- (i) an appropriate level of authority within the provider of apron management services organisation to ensure that activities are financed and carried out to the standard required;**
- (ii) knowledge and understanding of the documents that prescribe aerodrome and air traffic services safety standards;**
- (iii) understanding of the requirements for competence of management personnel so as to ensure that competent persons are in place;**
- (iv) knowledge and understanding of safety and quality management systems related principles and practices and how these are applied within the organisation;**
- (v) knowledge of the role of the accountable manager; and**
- (vi) knowledge and understanding of the key issues of risk management within the aerodrome.**



**(b) Accountable manager — Delegation of responsibilities**

- (1) The technical knowledge and understanding expected by an accountable manager is high level, with particular reference to his/her own role in ensuring that standards are maintained.
- (2) During periods of absence, the day-to-day responsibilities of the accountable manager may be delegated; however, the accountability ultimately remains with the accountable manager.
- (3) Depending on the size and the complexity of operations, the accountable manager may delegate his/her responsibilities in the area of training, by nominating a training manager whose responsibilities should be the establishment, coordination, implementation of training programmes, and relevant record keeping of personnel training, as well as of the proficiency check programmes.

In any case, the accountability, ultimately, remains with the accountable manager.

**GM1 ADR.OR.D.016(a) Personnel requirements — providers of apron management services**  
ACCOUNTABLE MANAGER

The guidance included in GM1 ADR.OPS.D.015(a) — Personnel requirements — aerodrome operator may also be used.

**AMC1 ADR.OR.D.016(b) Personnel requirements — providers of apron management services**  
NOMINATED PERSONS**(a) General**

- (1) A description of the functions of the person responsible for the management and supervision of operational service related to apron management should be contained in the operation manual. This person should have adequate resources available to perform his/her duties.
- (2) The provider of apron management services should make arrangements to ensure adequate continuity of supervision in the absence of this person.
- (3) The person nominated by the provider of apron management services should not be nominated by another provider unless agreed with the Competent Authority.
- (4) The nominated person should be foreseen to work sufficient hours to fulfil the management functions associated with the scale and complexity of the operation.
- (5) This person may hold more than one post if such an arrangement is considered suitable and properly matched to the provider of apron management services organisation, and the complexity of operations.

**(b) Competence**

The person responsible for the management and supervision of operational service related to apron management should have:

- (1) adequate practical experience and expertise in aerodrome operations, apron management and/or air traffic services;



- (2) comprehensive knowledge of the applicable requirements in the area of aerodromes, apron management and/or air traffic services;
- (3) appropriate level of knowledge of safety and quality management; and
- (4) knowledge of the aerodrome manual and operations manual.

**GM1 ADR.OR.D.016(b) Personnel requirements — providers of apron management services**  
COMBINATION OF NOMINATED PERSONS RESPONSIBILITIES

- (a) The acceptability of a single person holding more than one post, possibly in combination with being the accountable manager, should depend upon the provider of apron management services organisation and the complexity of its operations. The two main areas of concern should be competence and an individual's capacity to meet his/her responsibilities.
- (b) As regards competence in different areas of responsibility, there should not be any difference from the requirements applicable to persons holding only one post.
- (c) The capacity of an individual to meet his/her responsibilities should primarily be dependent upon the complexity of the provider of apron management services organisation and its operations. However, the complexity of the organisation or of its operation may prevent or limit combinations of posts.

**AMC1 ADR.OR.D.016(c) Personnel requirements — providers of apron management services**  
SAFETY MANAGER

- (a) The safety manager should be the focal point and responsible for the development, administration, and maintenance of an effective safety management system (see also AMC1 ADR.OR.D.005(b)(1)).
- (b) The role of the safety manager should be to:
  - (1) facilitate hazard identification, risk analysis, and management;
  - (2) monitor the implementation and functioning of the safety management system, including the necessary safety actions;
  - (3) manage the safety reporting system of the provider of apron management services;
  - (4) coordinate with the safety management system of the aerodrome operator and the air traffic services provider;
  - (5) provide periodic reports on safety performance;
  - (6) ensure maintenance of safety management documentation;
  - (7) ensure that there is safety management training available and that it meets acceptable standards;
  - (8) provide advice on safety matters; and
  - (9) initiate and participate in internal occurrence/accident investigations.
- (c) The safety manager should have:



- (1) adequate practical experience and expertise in aerodrome operations, apron management and/or air traffic services;
  - (2) adequate knowledge of safety and quality management;
  - (3) adequate knowledge of the aerodrome manual and the operations manual; and
  - (4) comprehensive knowledge of the applicable requirements in the area of aerodromes, apron management and/or air traffic services.
- (d) The safety manager should not be the person referred to in ADR.OR.D.016(b) or AMC2 ADR.OR.D.005(b)(11). However, in the case of less complex providers of apron management services/operations, the safety manager may be the accountable manager, or one of the persons referred to in ADR.OR.D.015016(b), or AMC2 ADR.OR.D.005(b)(11), or any other person at appropriate management level, provided that he/she can act independently of other managers within the organisation of the provider of apron management services, and has direct access to the accountable manager and to appropriate management for safety matters.

**AMC1 ADR.OR.D.016(d) Personnel requirements — providers of apron management services**

**DETERMINATION OF PERSONNEL NEEDS AND QUALIFICATIONS**

- (a) The provider of apron management services should determine the required personnel for the planned tasks.
- (b) The provider of apron management services should determine the required personnel qualifications, in accordance with the applicable requirements (and the national and European Union legislation where applicable), and include them in the operations manual. A documented system with defined responsibilities should be in place, in order to identify any needs for changes with regard to personnel qualifications.

**AMC1 ADR.OR.D.017(a);(b) Training and proficiency check programmes — aerodrome operators**

[...]

**AMC2 ADR.OR.D.017(a);(b) Training and proficiency check programmes — aerodrome operators**

[...]

**AMC3 ADR.OR.D.017(a);(b) Training and proficiency check programmes — aerodrome operators**

[...]

**GM1 ADR.OR.D.017(a);(b) Training and proficiency check programmes— aerodrome operators**

[...]

**GM2 ADR.OR.D.017(a);(b) Training and proficiency check programmes— aerodrome operators**

[...]

**GM1 ADR.OR.D.017(c) Training and proficiency check programmes— aerodrome operators**

[...]

**GM2 ADR.OR.D.017(c) Training and proficiency check programmes— aerodrome operators**

[...]



**AMC1 ADR.OR.D.017(d) Training and proficiency check programmes— aerodrome operators**

[...]

**AMC1 ADR.OR.D.017(e) Training and proficiency check programmes— aerodrome operators**

[...]

**GM1 ADR.OR.D.017(e) Training and proficiency check programmes— aerodrome operators**

[...]

**GM2 ADR.OR.D.017(e) Training and proficiency check programmes— aerodrome operators**

[...]

**AMC1 ADR.OR.D.018(a);(b) Training and proficiency check programmes — providers of apron management services****TRAINING PROGRAMME — GENERAL**

- (a) The training programme should cover all personnel involved in the provision of apron management services (supervisors, managers, senior managers and the accountable manager).
- (b) The training of persons mentioned in paragraph (a) should be completed prior to the initial performance of their duties.
- (c) The training programme should include safety management system training whose level of detail should be appropriate to the individuals' responsibility and involvement in the safety management system, and should also include human and organisational factors.
- (d) The training programme should consist of the following:
- (1) a process to identify training standards, including syllabi, and frequency for each type of training and area of activity for the persons mentioned in paragraph (a), including for instructors and assessors, and track completion of required training;
  - (2) a validation process that measures the effectiveness of training;
  - (3) initial job-specific training;
  - (4) on-the-job training; and
  - (5) recurrent training.
- (e) The training programme should identify training responsibilities and contain procedures:
- (1) for training and checking of the trainees; and
  - (2) to be applied in the event that personnel do not achieve or maintain the required standards.
- (f) Training contents and syllabi should comply with the requirements prescribed in Part ADR.OPS.
- (g) A training file should be developed for each employee, including management, to assist in identifying and tracking employee training requirements, and verifying that personnel have received the planned training.



- (h) Information related to paragraphs (d) and (e), including the identified training standards and the related syllabi and frequency, should be included in the operations manual.

**AMC2 ADR.OR.D.018(a);(b) Training and proficiency check programmes — providers of apron management services**

TRAINING PROGRAMME — CHECKING OF TRAINEES

- (a) Checking required for each training course should be accomplished by either:
- (1) practical demonstration; or
  - (2) computer-based training; or
  - (3) oral or written tests; or
- combinations of such methods, as appropriate.
- (b) Training elements that require individual practical participation may be combined with practical checks.

**AMC3 ADR.OR.D.018(a);(b) Training and proficiency check programmes — providers of apron management services**

RULES AND PROCEDURES

- (a) The provider of apron management services should ensure that personnel are aware of the rules and procedures relevant to the provision of apron management services and the relationship of their duties and responsibilities to the aerodrome operation as a whole.
- (b) Proficiency checks should verify that personnel are aware of the rules and procedures relevant to their duties and responsibilities.

**GM1 ADR.OR.D.018(a);(b) Training and proficiency check programmes — providers of apron management services**

TRAINING PROGRAMME — RECURRENT, REFRESHER AND DIFFERENCES TRAINING

- (a) Recurrent training
- (1) The initial training should be valid for a period not exceeding 12 months. Thereafter, the provider of apron management services should ensure that the persons mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) complete recurrent training at intervals not exceeding 12 months since the initial completion of their training programme.
  - (2) If the recurrent training is undertaken within the last 3 calendar months of the 12-month period, the new validity period should be counted from the original expiry date.
- (b) Refresher training
- When a person mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) has not performed any duties for a significant period before the expiry date of its initial training programme, or its last current training (as the case may be), the provider of apron management services should ensure that that person completes a relevant refresher training prior to being assigned duties.
- (c) Differences training — other provider of apron management services



When apron management services personnel mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) who have already completed the necessary training programme, are employed at another airport and/or by another provider of apron management services, the latter should establish a differences training for such personnel to complete. Such a differences training should be determined, as necessary, on the basis of a comparison of the training already completed by the relevant individual (taking into account his/her previous training as documented in his/her training records), with the training programme that is required for the post that the person will cover.

#### **GM1 ADR.OR.D.018(b) Training and proficiency check programmes — providers of apron management services**

##### **PROFICIENCY CHECKS**

- (a) Proficiency checks should be conducted by nominated assessors in accordance with AMC2 ADR.OR.D.018(c).
- (b) The maximum interval between two proficiency checks should not exceed 36 months. The first proficiency check should be completed within two years since the completion of the initial training programme.
- (c) The proficiency check programme should include a validation process that measures the effectiveness of the programme.
- (d) The proficiency check programme should identify checking responsibilities and relevant checking methods, including procedures to be applied in the event that personnel do not achieve the required standards.
- (e) Information related to the proficiency check programme should be included in the operations manual.

#### **AMC2 ADR.OR.D.018(c) Training and proficiency check programmes — providers of apron management services**

##### **INSTRUCTORS — ASSESSORS**

- (a) The provider of apron management services should nominate instructors and assessors to be used for the implementation of the training and proficiency check programmes. The personnel to be nominated may also include contracted instructors for individual subjects.
- (b) A person may be qualified and nominated both as an instructor and as an assessor by the provider of apron management services. However, such a person may not provide assessment for own instruction, courses, or material.
- (c) Instructors
  - (1) Theoretical instruction should be given by appropriately qualified instructors. They should have:
    - (i) appropriate level and depth of knowledge in the field where instruction is to be given;
    - (ii) documented ability to use appropriate instructional techniques; and
    - (iii) adequate experience in the subject where instruction is to be given.



- (2) Instruction on practical skills should be given by appropriately qualified instructors who:
- (i) meet the theoretical knowledge and the working experience requirements appropriate to the instruction being given;
  - (ii) have demonstrated the ability to instruct and to use appropriate instructional techniques;
  - (iii) are proficient in instructional techniques in the areas in which it is intended to provide instruction; and
  - (iv) receive regular refresher training to ensure that the instructional competences are maintained.

(d) Assessors

The persons who are responsible for assessing the competence and skills of the personnel should:

- (1) have demonstrated the ability to assess the performance of the trainees and conduct tests and checks in the areas covered by the training;
- (2) receive regular refresher training to ensure that the assessment standards are maintained up to date; and
- (3) meet the theoretical knowledge requirements appropriate to the instruction being given and have adequate working experience in the area of instruction.

**AMC1 ADR.OR.D.018(d) Training and proficiency check programmes — providers of apron management services**

**PERSONNEL RECORDS**

- (a) The provider of apron management services should use its record keeping system (see AMC1 ADR.OR.D.040) to record the following information for each person:
- (1) starting date of employment/ending date of employment (if applicable);
  - (2) area of activity;
  - (3) previous working experience;
  - (4) qualifications;
  - (5) training (before entry and subsequent); and
  - (6) proficiency checks, including language proficiency;
- (b) Latest changes should be reflected into the personnel records.

**GM1 ADR.OR.D.018(d) Training and proficiency check programmes — providers of apron management services**

**TRAINING RECORDS**

(a) Training programme — general

The provider of apron management services should maintain records of the training sessions that its personnel have attended, including as a minimum the following:



- (1) area of training and subjects covered;
- (2) names of participants/signed list of participants;
- (3) date and duration of training; and
- (4) name of the instructor.

(b) Training records of individuals

The training records maintained for each individual should include as a minimum:

- (1) the name of the trainee;
- (2) the date(s) and the duration of the training;
- (3) the place where the training was received;
- (4) the name of the organisation that provided the training;
- (5) the subjects covered and the methodology of the course;
- (6) any comments made by the instructor, if applicable;
- (7) the performance evaluation of the trainee, if applicable; and
- (8) the name and signature of the instructor.

**GM2 ADR.OR.D.018(d) Training and proficiency check programmes — providers of apron management services**

**PROFICIENCY CHECK RECORDS**

The proficiency check records maintained for each individual should include as a minimum:

- (a) the name of the person checked;
- (b) the date(s) and the duration of the proficiency check;
- (c) the methodology of the check conducted;
- (d) any comments made by the assessor;
- (e) the performance evaluation of the person checked; and
- (f) the name and signature of the assessor.

**GM1 ADR.OR.D.027 Safety programmes**

**AERODROME SAFETY COMMITTEES**

[...]

- (c) Composition of Manoeuvring area / Apron Safety Committee(s)

[...]

- (8) provider(s) of apron management services, if established.

**AMC1 ADR.OR.D.030 Safety reporting system — aerodrome operators**

[...]



**GM1 ADR.OR.D.030 Safety reporting system — aerodrome operators**

[...]

**AMC1 ADR.OR.D.032 Safety reporting system — providers of apron management services****SAFETY REPORTING SYSTEM**

- (a) The safety reporting system should include the provider of apron management services personnel.
- (b) The safety reporting system should include voluntary reporting possibilities intended for safety hazards identified by the reporter and that may have potential safety consequences.
- (c) The provider of apron management services should identify which events are mandatory to be reported.
- (d) The provider of apron management services should provide the means and the format for reporting, which should be such that meets the existing reporting requirements foreseen in the applicable legislation in terms of time, format, and required information to be reported.
- (e) The safety reporting should include an acknowledgement to the reporter for the submission of the report.
- (f) The reporting process should be as simple as possible, and well documented, including details as to what, how, where, whom, and when to report.
- (g) Regardless of the source or method of submission, once the information is received, it should be stored in a manner suitable for easy retrieval and analysis.
- (h) Access to the submitted reports should be restricted to persons responsible for storing and analysing them.
- (i) Protection of the identity of the reporter should be ensured, and the procedures established by the provider of apron management services to gather additional information for analyses, or investigations should respect this principle.
- (j) The safety reporting system should include a feedback system to the reporting person on the outcome of the occurrence analysis.

**AMC1 ADR.OR.D.035 Record keeping — aerodrome operators**

[...]

**AMC2 ADR.OR.D.035 Record keeping — aerodrome operators**

[...]

**GM1 ADR.OR.D.035(b) Record keeping — aerodrome operators**

[...]

**AMC1 ADR.OR.D.040 Record keeping — providers of apron management services****DOCUMENTATION TO BE RETAINED**

- (a) The system employed by the provider of apron management services for record keeping should provide for adequate procedures, storage facilities, and reliable traceability, retrievability and



accessibility of the records related to the activities of the provider of apron management services that are subject to the Basic Regulation and its Implementing Rules throughout the required retention period.

- (b) Records should be kept in paper form or in electronic format, or a combination of both. Records stored on microfilm or optical disc format are also acceptable. The records should remain legible throughout the required retention period. The retention period starts when the record has been created or last amended.
- (c) Paper systems should use robust material which can withstand normal handling and filing.
- (d) Computer systems should have at least one backup system which should be updated within 24 hours of any new entry. Computer systems should include safeguards against the possibility of unauthorised personnel altering the data.
- (e) All computer hardware used to ensure data backup should be stored in a different location from that containing the working data, and in an environment that ensures they remain in good condition. When hardware or software changes take place, special care should be taken that all necessary data continues to be accessible, at least, through the full retention period. In the absence of any indication, all records should be kept for a minimum period of five years.

**GM1 ADR.OR.D.040 (b) Record keeping — providers of apron management services**  
RECORDS

Microfilming or optical storage of records may be carried out at any time. The records should be as legible as the original record and remain so for the required retention period.

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

**AMC1 ADR.OR.F.005 Operations manual**  
GENERAL

- (a) The operations manual may vary in detail according to the complexity of the operation and the type of the aerodrome.
- (b) The operations manual or parts of it may be presented in any form, including electronic form. In all cases, the accessibility, usability and reliability should be assured.
- (c) The operations manual should be such that:
  - (1) all parts of the manual are consistent and compatible in form and content;
  - (2) the manual can be readily amended; and
  - (3) the content and amendment status of the manual is controlled and clearly indicated.
- (d) The operations manual should include a description of its amendment and revision process specifying:
  - (1) the person(s) who may approve amendments or revisions;
  - (2) the conditions for temporary revisions and/or immediate amendments, or revision required in the interest of safety; and



- (3) the methods by which all personnel and organisations are advised of changes to the operations manual.
- (e) The operations manual may contain parts of, or refer to other controlled documents, such as the aerodrome equipment manual, which are available at the aerodrome for use by the personnel.

**AMC2 ADR.OR.F.005 Operations Manual****OPERATIONS MANUAL**

- (a) The operations manual should have the following structure, and include, at least, the following information; if an item is not applicable, the indication 'Not applicable' or 'Intentionally blank' should be inserted, along with the relevant reason:

**A. PART A — GENERAL****0. Administration and control of the operations manual including the following:****0.1. Introduction:**

- 0.1.1 a statement signed by the accountable manager that the operations manual complies with all applicable requirements and with the terms of the certificate or the content of the declaration;
- 0.1.2 a statement signed by the accountable manager that the operations manual contains operational instructions that are to be complied with by the relevant personnel;
- 0.1.3 a list and brief description of the various parts, their contents, applicability and use; and
- 0.1.4 explanations, abbreviations and definitions of terms needed for the use of the manual.

**0.2 System of amendment and revision:**

- 0.2.1 details of the person(s) responsible for the issuance and insertion of amendments and revisions;
- 0.2.2 a record of amendments and revisions with insertion dates and effective dates;
- 0.2.3 a statement that handwritten amendments and revisions are not permitted, except in situations requiring immediate amendment or revision in the interest of safety;
- 0.2.4 a description of the system for the annotation of pages or paragraphs and their effective dates;
- 0.2.5 a list of effective pages or paragraphs;
- 0.2.6 annotation of changes (in the text and, as far as practicable, on charts and diagrams); and
- 0.2.8 description of the distribution system and a distribution list for the operations manual, its amendments and revisions.



## 1. General information

General information, including the following:

- 1.1. Purpose and scope of the operations manual;
- 1.2. Legal requirements for a provider of apron management services certificate or submission of declaration and the operations manual as prescribed in Part ADR.OR; and
- 1.3. The obligations of the provider of apron management services; rights of the Competent Authority and guidance to staff on how to facilitate audits/inspections by Competent Authority personnel.

## B. PART B — MANAGEMENT SYSTEM, QUALIFICATION AND TRAINING REQUIREMENTS

### 2. A description of the management system, including the following:

- 2.1. Provider of apron management services organisation and responsibilities, including the following: a description of the organisational structure, including the general organogram and other departments' organograms. The organogram should depict the relationship between the departments. Subordination and reporting lines of all levels of organisational structure (Departments, Sections, etc.) related to safety should be shown.

Names, authorities, responsibilities and duties of management, nominated persons, operational staff and safety committees should also be included.

### 2.2. A description of the safety management system, including:

- 2.2.1. scope of the safety management system;
- 2.2.2. safety policy and objectives;
- 2.2.3. safety responsibilities of key safety personnel;
- 2.2.4. documentation control procedures;
- 2.2.5. safety risk management process, including hazard identification and risk assessment schemes;
- 2.2.6. monitoring of implementation and effectiveness of safety actions and risk mitigation measures;
- 2.2.7. safety performance monitoring;
- 2.2.8. safety reporting (including hazard reporting) and investigation;
- 2.2.9. emergency response planning;
- 2.2.10. management of change (including organisational changes with regard to safety responsibilities);
- 2.2.11. safety promotion; and
- 2.2.12. safety management system outputs.

### 2.3. A description of the compliance monitoring and related procedures.



- 2.4. Procedures for reporting to the Competent Authority and the aerodrome operator, including handling, notifying and reporting accidents, serious incidents and occurrences. This section should include, at least, the following:
  - 2.4.1. definition of accident, serious incident and occurrence and of the relevant responsibilities of all persons involved;
  - 2.4.2. illustrations of forms to be used (or copies of the forms themselves), instructions on how they are to be completed, the addresses to which they should be sent and the time allowed for this to be done; and
  - 2.4.3. procedures and arrangements for the preservation of evidence, including recordings, following a reportable event.
- 2.5. Procedures related to the use of alcohol, psychoactive substances and medicines.
- 2.6. Procedures for:
  - 2.6.1. complying with safety directives;
  - 2.6.2. reaction to safety problems; and
  - 2.6.3. handling of safety recommendations issued by Safety Investigation Authorities.
3. Required apron management services personnel qualifications and procedures related to:
  - 3.1. the training programme, including the following:
    - 3.1.1. responsibilities, frequencies, syllabi and the identified training standards for all personnel involved in the provision of apron management services;
    - 3.1.2. procedures:
      - 3.1.2.1. for training and checking of the trainees;
      - 3.1.2.2. to be applied in the event that personnel do not achieve the required standards; and
    - 3.1.3. description of documentation to be stored and storage periods.

#### C. PART C — PARTICULARS OF THE AREA WHERE APRON MANAGEMENT SERVICE IS PROVIDED

4. A description of the area where apron management services are provided and, in particular, a chart of the aerodrome showing the boundaries of the area where apron management services are provided.

#### D. PART D — PARTICULARS OF APRON MANAGEMENT SERVICE REQUIRED TO BE REPORTED TO THE AERONAUTICAL INFORMATION SERVICE

5. The aeronautical information services available and the procedures for the promulgation of general information, including the following:
  - 5.1. the location of the aerodrome
  - 5.2. the name of the provider of apron management services and contact details (including telephone numbers) at which may be contacted at all times;



5.3. the call sign of the apron management services; and

5.4. aeronautical frequencies used by the apron management services

#### E. PART E — PARTICULARS OF APRON MANAGEMENT SERVICE PROCEDURES, ITS EQUIPMENT AND SAFETY MEASURES

6. Procedures for apron management, including:

6.1 transfer of the aircraft between air traffic services unit, and the apron management unit;

6.2 allocation of aircraft parking stands;

6.3 engine start and aircraft push-back;

6.4 marshalling and 'follow-me' service;

6.5 FOD prevention, including apron cleaning/sweeping;

6.6 monitoring compliance of personnel on the apron with safety procedures;

6.7 alerting of emergency services;

6.8 dissemination of information to operators; and

6.9 aircraft parking.

(b) All procedures contained in the operations manual should include and clearly define the roles, responsibilities, and contact details of the responsible apron management services provider personnel, other persons or organisations, including the Competent Authority and other state agencies involved, as appropriate, and take into account the need for establishing direct communication during non-working hours.

#### **GM1 ADR.OR.F.005 Operations Manual** OPERATIONS MANUAL

(a) Form of the operations manual

The operations manual is a key document both for the provider of apron management services and the Competent Authority. The manual is the source document describing how the apron management services will be provided safely.

Apart from the provision of apron management services, the operations manual should reflect accurately the day-to-day functioning of the provider's safety management system and its safety culture. It will need to show how the provider of apron management services intends to measure its performance against safety targets and objectives. The reader of the operations manual should be given a clear statement on how safety is developed, managed and maintained in the organisation. All safety policies, operational procedures and instructions should be contained in detail, when relevant, or cross-referenced to other controlled, formally accepted or recognised publications.

(b) Purpose of the operations manual

An efficient management structure and a systematic approach to the provision of apron management services is essential. The operations manual should contain all the relevant



information to describe the structure satisfactorily. It is one of the means by which all relevant operating staff can be informed as to their duties and responsibilities with regard to safety. It should describe the facilities, all operating procedures and any restrictions in the provision of apron management services.

Accountability for safety must start at the very top of the organisation. One of the key elements in establishing safe working practices is the 'top down' approach where all staff should understand the safety aims of the organisation, the chain of command and their own responsibilities and accountabilities. As safety management principles are applied, the operations manual should be expanded to describe clearly how the safety of operations is to be managed. To a reader or user of the operations manual, there should never be any doubt in terms of 'safety accountability' for each domain or activity described. Each section should define who is accountable, who is responsible, who has the authority, who has the expertise and who actually carries out the tasks described in any section.

The principal objective of the operations manual should be to show how management will accomplish its safety responsibilities. The operations manual will set out the policy and expected standards of performance and the procedures by which they will be achieved.

The provider of apron management services should ensure that:

- (1) its responsibilities are clearly described;
- (2) the tasks and activities that are to be performed by the provider of apron management services, the aerodrome operator and the air traffic services provider are listed; and
- (3) the means and procedures in order to complete these tasks and activities are described or appended, together with the necessary details on their frequencies and operating modes.

Where responsibilities are attributed to other stakeholders, the operations manual should clearly identify them.

#### **GM2 ADR.OR.F.005 Operations manual** CONTENTS

The numbering system described in AMC2 ADR.OR.F.005 should be maintained even if there are sections that are not applicable or already covered by the aerodrome manual.

#### **AMC1 ADR.OR.F.005(i)(2) Operations Manual** LANGUAGE OF THE OPERATIONS MANUAL

A translated version of the relevant parts of the operations manual is an acceptable means to comply with the relevant requirement. In any case, the persons who are going to use the manual should be able to read and understand it.

#### **GM1 ADR.OR.F.005(j) Operations manual**

Guidance material on the application of human factors principles may be found in the ICAO Human Factors Training Manual (Doc 9683).



### 3.3. Draft amendment to AMC/GM to Annex IV (Part ADR.OPS)

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

##### GM1 ADR.OPS.D.001 Apron requirements

###### GENERAL

The requirements included in Subpart D of this Annex need to be fulfilled at an aerodrome. In some cases, these requirements are not directly fulfilled by the aerodrome operator but by another organisation or State entity or combination of both. However, the aerodrome operator being responsible for the operation of the aerodrome should have arrangements and interfaces with these organisations or entities to meet the requirements in accordance with the legal provisions. The method described above is in line with the intention of an integrated Safety Management System that helps the aerodrome operator to ensure the safety objective of the service provision is being met. In completing this action, the aerodrome operator should, hereby, be seen to discharge its responsibility by implementing the procedures mentioned above. Furthermore, the aerodrome operator should not be understood to be directly responsible or liable for non-compliances by another entity involved in the arrangement.

##### GM2 ADR.OPS.D.001 Apron requirements

###### APRON FUNCTIONS

The following functions are considered essential to ensure the safety of aircraft operation on an apron:

- (a) Management of aircraft movements on the apron, including push back operations on the aircraft stand;
- (b) Coordination of aircraft entry to/exit from the apron;
- (c) Management of apron safety;
- (d) Management of vehicle movements;
- (e) Aircraft stand allocation;
- (f) Aircraft parking; and
- (g) Dissemination of information; and

All or parts of these functions can be fulfilled by the aerodrome operator, a provider of apron management services, an air traffic services provider, or a combination of the above. The aerodrome operator may also decide to assign certain functions like aircraft stand allocation to other organisations such as ground handling services providers or airlines. However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements.

##### AMC1 ADR.OPS.D.002 Apron Management

###### GENERAL

The aerodrome operator should ensure that management of apron operations is performed either by:

- (a) itself; or
- (b) the air traffic services providers; or
- (c) a provider of apron management services; or



- (d) a combination of (a), (b) and (c) above

**GM1 ADR.OPS.D.002 Apron Management****CRITERIA FOR THE ESTABLISHMENT OF A DEDICATED APRON MANAGEMENT SERVICE**

Apron management is an essential task at any aerodrome. However, the need to establish a dedicated apron management service depends upon various operational factors, such as:

- (a) the traffic density;
- (b) the complexity of the apron layout; and
- (c) the visibility conditions under which the aerodrome operator plans to maintain operations.

**GM2 ADR.OPS.D.002 Apron Management****METHODS OF PROVIDING APRON MANAGEMENT SERVICE**

There are different methods available to provide apron management services, depending on the operational requirements and the available means. A general indicator is that all instructions to aircraft will be given through radio frequency, which should not rule out the alternative use of 'FOLLOW-ME' vehicles.

**AMC1 ADR.OPS.D.005(a)(1) Written agreement between the aerodrome operator and the provider of apron management services****WRITTEN AGREEMENT BETWEEN THE AERODROME OPERATOR AND THE PROVIDER OF APRON MANAGEMENT SERVICES**

The written agreement between the aerodrome operator and the provider of apron management services should include at least the following:

- (a) Duration of the agreement;
- (b) Definition of the area where apron management services will be provided;
- (c) Definition of the functions that will be conducted by the provider of apron management services;
- (d) Communication procedures including means of communication;
- (e) Operational procedures for coordination;
- (f) Coordination of vehicle movements;
- (g) Low visibility operations;
- (h) Winter operations;
- (i) Emergency procedures; and
- (j) Dissemination of information.



**AMC1 ADR.OPS.D.010 Management of aircraft movement on the apron**

## AIRCRAFT GUIDANCE

Prior to the movement of an aircraft on the apron, the aerodrome operator should ensure that appropriate instructions are provided to the persons directly responsible for the safe manoeuvring of the aircraft either by:

- (a) issuing verbal instructions on a predetermined radio frequency; or
- (b) a FOLLOW-ME; or
- (c) appropriate signals by marshallers; or
- (d) other means of guidance; or
- (e) a combination of the above.

**GM1 ADR.OPS.D.010 Management of aircraft movement on the apron**

## VISUAL AIDS

Visual aids such as markings, lights, signs and/or markers may provide information to the persons directly responsible for the aircraft manoeuvring on the apron.

**AMC1 ADR.OPS.D.015 Coordination of aircraft entry to/exit from the apron**

## COORDINATION

The aerodrome operator in cooperation with air traffic services provider should establish coordination procedures for the handover of aircraft between air traffic services and:

- (a) apron management services unit, when established; or
- (b) a FOLLOW-ME vehicle; or
- (c) marshalling services.

**AMC2 ADR.OPS.D.015 Coordination of aircraft entry to/exit from the apron**

## HANDOVER POINTS

The aerodrome operator, in cooperation with air traffic services provider, should establish handover point(s) between the apron and the manoeuvring area, when traffic is managed by two different units.

**AMC1 ADR.OPS.D.020 Apron management boundaries**

## DEFINITION OF APRON MANAGEMENT BOUNDARIES

The aerodrome operator in cooperation with the air traffic services should define the boundaries of the area where apron management services are provided. They should consider at least the following:

- (a) Apron layout;
- (b) Runway(s) and taxiway(s) configuration and method of operation;
- (c) Traffic density;
- (d) Weather conditions; and
- (e) Operational procedures



**AMC2 ADR.OPS.D.020 Apron management boundaries**  
PUBLICATION OF APRON MANAGEMENT BOUNDARIES

The aerodrome operator should provide data relevant to the apron management boundaries to the aeronautical information services providers for publication in the Aeronautical Information Publication. A graphical illustration of the boundaries should be shown in the Aerodrome Chart, according to ADR.OPS.A.015.

**AMC1 ADR.OPS.D.025 Publication of aeronautical radio frequencies assigned to apron management**  
INFORMATION TO BE PROVIDED

The aerodrome operator should provide the following information for publication in the Aeronautical Information Publication:

- (a) frequencies used for apron management;
- (b) call sign; and
- (c) hours of operation.

**AMC1 ADR.OPS.D.030(a) Management of vehicle movements**  
APRON DRIVING RULES

The aerodrome operator should ensure that driving rules for the apron are established, implemented and disseminated. The driving rules should include at least the following:

- (a) Speed limits;
- (b) Right of way;
- (c) Driving routes;
- (d) Use of vehicle lights;
- (e) Low visibility operations;
- (f) Signs, markings and lights on the apron; and
- (g) Procedures for the entry to/exit from the apron areas in which aircraft and vehicle movements are combined.

**AMC2 ADR.OPS.D.030(a) Management of vehicle movements**  
CROSSING OF APRON TAXIWAYS AND AIRCRAFT STAND TAXILANES

The aerodrome operator should not allow the crossing of apron taxiways and aircraft stand taxilanes unless:

- (a) the vehicle driver has been granted permission by the unit responsible for managing the taxiway, apron taxiway or aircraft stand taxilane; or
- (b) crossing is done via authorised driving routes provided that visual check has been performed by the vehicle driver for taxiing aircraft.

**AMC1 ADR.OPS.D.030(b) Management of vehicle movements**  
DRIVING ROUTES

- (a) The aerodrome operator should designate vehicle driving routes at the apron;



- (b) The driving routes, should be segregated from aircraft taxi routes; and
- (c) When, due to the apron layout, aircraft taxi routes and driving routes are interfering, the aerodrome operator should ensure that vehicles' movements do not obstruct aircraft taxiing. Intersections of driving routes with taxiways, apron taxiways and aircraft stand taxilanes should be clearly indicated.

**GM1 ADR.OPS.D.030(a);(b) Management of vehicle movements****CROSSING OF TAXIWAYS, APRON TAXIWAYS AND AIRCRAFT STAND TAXILANES**

In general, the crossing of taxiway, apron taxiways and aircraft stand taxilanes is not permitted without fulfilling the requirements of ADR.OPS.D.030(a) and (b). However, in some cases the aerodrome operator can develop and implement specific rules that allow vehicles to freely cross taxiways, apron taxiways and aircraft taxilanes provided that a safety assessment has been performed and the rules contain clear requirements for the priority of aircraft over vehicles.

In this case, only certain vehicle drivers having undergone specific training, in accordance with the aerodrome regulations, can be allowed to freely drive and cross taxiways, apron taxiways and aircraft stand taxilanes.

**GM2 ADR.OPS.D.030(a);(b) Management of vehicle movements****DRIVING ROUTES**

Due to the apron layout, aircraft taxi routes and driving routes may sometimes be interfering. In these cases, the intersections of the aircraft taxi routes and the driving routes should be designed to provide clear visibility for the vehicle driver and the shortest possible conflict between the aircraft taxi routes and driving routes.

**AMC1 ADR.OPS.D.030(c) Management of vehicle movements****VEHICLE CONDITION REQUIREMENTS**

The aerodrome operator should develop and maintain specific requirements for the condition and maintenance of vehicles operating airside in accordance with requirements established by local or national authorities. The standards should include:

- (a) requirements for vehicles to be marked and, if they are used at night or in conditions of low visibility, lighted;
- (b) requirements to display obstruction lights and company insignia;
- (c) requirements and content of regular vehicle inspections; and
- (d) requirements for rectification of faults to the established vehicles conditions requirements.

**AMC1 ADR.OPS.D.040 Management of apron safety****APRON SAFETY RULES**

Apron safety rules should, at a minimum, provide the requirements to be applied by persons operating on the apron as related to:

- (a) FOD control;
- (b) safety reporting;



- (c) emergency management;
- (d) blast precautions;
- (e) escorting of vehicles;
- (f) apron works safety;
- (g) use of Personal Protective Equipment;
- (h) apron driving rules;
- (i) coordination with third parties;
- (j) aircraft refuelling;
- (k) apron personnel safety;
- (l) engine ingestion precautions; and
- (m) aircraft engine tests, where applicable.

**AMC2 ADR.OPS.D.040 Management of apron safety****MONITORING APRON DISCIPLINE**

- (a) The aerodrome operator, either through its own means or through arrangements with other parties, should monitor activities on the apron and take actions when deviations from established rules are observed.
- (b) If the designated party for monitoring apron discipline is different from the aerodrome operator, the latter should be informed of any deviations observed.
- (c) The aerodrome operator should ensure enforcement measures are established and implemented for violation of the established apron safety rules.

**GM1 ADR.OPS.D.040 Management of apron safety****FOD CONTROL**

- (a) In order to control FOD on the apron, the aerodrome operator should establish and implement a FOD control policy including FOD management measures to ensure that during ground servicing of aircraft:
  - (1) cabin waste is properly secured and removed from the aircraft stand in order to avoid the creation of FOD;
  - (2) any waste from aircraft maintenance activities is removed upon completion of the activities; and
  - (3) the aircraft stand is inspected before the arrival and after the departure of the aircraft.
- (b) The FOD management measures may include any of the following means:
  - (1) Provision of special FOD bins in specific locations for debris to be deposited;
  - (2) Ensuring all airlines/handling agents check an aircraft stand prior to the arrival and after the departure of an aircraft;
  - (3) Ensuring all parties collect FOD within the areas under their control;



- (4) Installing catch fencing in suitable areas on the apron to trap wind-blown FOD;
- (5) Organising campaigns to remind staff of the dangers presented by FOD;
- (6) Ensuring that contractors involved in construction projects are aware of the need to contain all their materials on-site and not allow spillages to enter the aircraft areas; and
- (7) Analysing items of FOD to identify trends and likely sources.

**GM2 ADR.OPS.D.040 Management of apron safety****AIRCRAFT REFUELLING**

The aerodrome operator should establish and implement procedures to ensure that during refuelling operations:

- (a) open flames and electric tools or similar tools likely to produce sparks or arcs are not allowed within the refuelling zone;
- (b) ground power units are not started during the refuelling operation;
- (c) a clear exit path is maintained to and from the aircraft to allow the quick removal of fuel bowzers and persons in an emergency;
- (d) aircraft and fuel supply sources are correctly bonded and the correct earthing procedures have been followed;
- (e) fuel spillage is immediately brought to the attention of the fuelling overseer and detailed instructions have been laid down for dealing with fuel spillages; and
- (f) if passengers are embarking, on board or disembarking, ground equipment is positioned so as to allow the use of sufficient number of exits for expeditious evacuation and a ready escape route from each of the exits to be used in an emergency; and
- (g) detailed procedures have been laid down when thunderstorms are in the vicinity of the aerodrome.

**GM3 ADR.OPS.D.040 Management of apron safety****DEVIATIONS FROM ESTABLISHED APRON SAFETY RULES**

In cases when the deviations from a specific apron safety rule are frequent or repeated, the aerodrome operator may conduct an analysis of the continued relevance of the specific rule and, when deemed necessary, based on the analysis results, adapt it to the operational situation.

**AMC1 ADR.OPS.D.045(a) Aircraft stand allocation****PARAMETERS FOR AIRCRAFT STAND ALLOCATION**

The aerodrome operator should ensure that the following parameters have been taken into consideration when aircraft are allocated to stands:

- (a) Aircraft characteristics;
- (b) Parking aids;
- (c) Facilities serving the stand;
- (d) Vicinity of infrastructure;



- (e) Other parked aircraft in neighbouring stands; and
- (f) Aircraft stand dependencies.

**AMC1 ADR.OPS.D.045(b) Aircraft stand allocation**

COMMUNICATION OF THE ASSIGNED STAND TO THE PERSONS DIRECTLY RESPONSIBLE FOR THE MANOEUVRING OF THE AIRCRAFT

The aerodrome operator should establish and implement procedures to ensure that information on the assigned stand or parking area to arriving aircraft is communicated to the persons responsible for the manoeuvring of the aircraft either:

- (a) through radio frequency; or
- (b) through data link communication; or
- (c) with a FOLLOW-ME vehicle; or
- (d) with signals provided by a marshaller; or
- (e) with a visual docking guidance system; or
- (f) with a combination of the above.

**GM1 ADR.OPS.D.045 Aircraft stand allocation**

RESPONSIBILITY FOR AIRCRAFT STAND ALLOCATION

Overall responsibility for aircraft stand allocation is normally retained by the aerodrome operator. The aerodrome operator may also decide to delegate the stand allocation to an airline or a ground handler if they have a dedicated terminal or apron area. However, the aerodrome operator remains responsible to ensure that safety is maintained.

**GM1 ADR.OPS.D.045(a) Aircraft stand allocation**

The following aircraft characteristics are to be considered for stand allocation:

**(a) Fuselage length**

The fuselage length is relevant for:

- (1) the dimension of the movement area (taxiway holding bays and aprons), passenger gates and terminal areas; and
- (2) clearance at the aircraft stand.

**(b) Sill Height**

The sill height is relevant for:

- (1) the operational limits of the passenger boarding bridges (including number of passenger boarding bridges needed;
- (2) mobile steps; and
- (3) access of vehicles for passengers with reduced mobility (PRM)

**(c) Tail height**

The tail height is relevant for:



- (1) de-icing/anti-icing facilities; and
- (2) compliance to aerodrome obstacle limitation surfaces.

(d) Wingspan

The wingspan is relevant for:

- (1) the dimensions of aprons and holding bays; and
- (2) stand selection; and
- (3) clearance at the aircraft stand

(e) Wing tip vertical clearance

The wing tip vertical clearance is relevant for apron and holding bay clearances with height limited objects.

(f) Cockpit view

The relevant geometric parameters to assess the cockpit view are cockpit height, cockpit cut-off angle, and the corresponding obscured segment. The cockpit view is relevant for maintaining a view of the stand entry guidance.

(g) Maximum aeroplane mass

The maximum mass is relevant for the mass limitations on existing bridges, tunnels, and culverts under aprons and taxiways.

(h) Engine characteristics

The engine characteristics include engine geometry and engine airflow characteristics, which may affect aerodrome infrastructure, as well as ground handling of the aeroplane and operations in adjacent areas which are likely to become affected from blast.

- (1) The engine geometry aspects are:
  - (i) the number of engines;
  - (ii) the location of engines (span and length);
  - (iii) the vertical clearance of engines; and
  - (iv) the vertical and the horizontal extension of possible blast.
- (2) The engine airflow characteristics are:
  - (i) idle and breakaway thrust; and
  - (ii) inlet suction effects at ground level.

**AMC1 ADR.OPS.D.055(a) Aircraft parking**  
**MONITORING OF AIRCRAFT STAND — VISUAL**

The procedures established by the aerodrome operator should include:

- (a) the monitoring of aircraft during its arrival to a stand, either by assigned personnel on the stand or through cameras in order to verify that clearance distances are maintained.



- (b) the alerting of the persons responsible for aircraft taxiing to stop the aircraft when the recommended clearance distances are not maintained and/or the provision of further assistance.
- (c) the prohibition of approaching the aircraft by persons other than those required for the operation of aircraft, when anti-collision lights are turned on and engines are switched on.

**AMC1 ADR.OPS.D.055(b) Aircraft parking****AIRCRAFT GUIDANCE DURING PARKING MANOEUVRE**

The aerodrome operator should establish, implement and monitor procedures on availability and terms of use of parking aids, such as:

- (a) a visual or an advanced visual docking guidance system; or
- (b) (a) marshaller(s); or
- (c) a self-guidance system;

**AMC2 ADR.OPS.D.055(b) Aircraft parking****OPERATION OF VISUAL AND ADVANCED VISUAL DOCKING GUIDANCE SYSTEM**

The aerodrome operator should establish, implement and monitor procedures that:

- (a) require the activation of docking guidance system only when the stand is considered safe for use by the arriving aircraft and the involved personnel in charge of parking operations;
- (b) require the activation of docking guidance system prior to aircraft arrival on the stand;
- (c) require the suitability of the docking guidance system for the type of aircraft intended to use the stand; and
- (d) include emergency procedures to inform the flight crew when parking procedure has to be discontinued.

**AMC3 ADR.OPS.D.055(b) Aircraft parking****MARSHALLING SERVICE**

The aerodrome operator should establish, implement and monitor procedures that:

- (a) require the provision of a marshalling service where visual or advanced visual docking guidance systems and self-guidance systems do not exist or are unserviceable, or where guidance to aircraft parking is required to avoid a safety hazard;
- (b) where marshalling service is provided, contain comprehensive written instructions for marshallers, including:
  - (1) the need to ensure that prior to using the authorised signals, the marshaller should ascertain that the area within which the aircraft will be guided, is clear of obstacles which the aircraft, in complying with his signals, might otherwise strike;
  - (2) the circumstances in which (a) marshaller(s) may be used and the occasions when wing walkers are necessary; and
  - (3) the action to be taken in the event of an emergency or incident involving an aircraft and/or vehicle during marshalling;



**AMC1 ADR.OPS.D.060(a) Aircraft departure****DEPARTURE FROM THE STAND — OBSTRUCTIONS**

The aerodrome operator should ensure that procedures are established and implemented, so that prior to the movement of the aircraft:

- (a) ground servicing equipment, excluding push-back trucks if required for the movement of aircraft, and vehicles have been removed from the stand or parked in designated areas;
- (b) the designated exit from the aircraft stand is free of FOD; and
- (c) vehicle movements on the stand, excluding push-back trucks if required for the movement of aircraft, have ceased, including traffic on adjacent road(s), as appropriate.

**GM1 ADR.OPS.D.060(a) Aircraft departure****DESIGNATED EXIT ROUTE**

Designated exit route is understood to be the path intended to be followed by the aircraft for leaving the apron, from the aircraft stand to the limits of the apron.

**AMC1 ADR.OPS.D.065 Dissemination of information to operators**

- (a) The aerodrome operator should establish a process to disseminate relevant and timely information on limitations to operations on the apron;
- (b) The information to be provided should include the following:
  - (1) the type of the limitation;
  - (2) the duration of the limitation, if known;
  - (3) mitigation measures to be applied;
  - (4) the operational impact of the limitation;
  - (5) availability of aircraft parking stands;
  - (6) restrictions on aircraft parking stands;
  - (7) availability of fixed installations at aircraft parking stands;
  - (8) special parking procedures;
  - (9) temporary change of driving routes;
  - (10) work in progress; and
  - (11) any other information that has operational significance to the apron users.

**GM1 ADR.OPS.D.065 Dissemination of information to operators****INFORMATION SHARING**

Foreknowledge of limitations to operations on the apron will help to maintain safety. The requirement to establish a process for disseminating operational information does not necessarily mean that the aerodrome operator has to develop a technical system specific for that aerodrome. The methods and the means selected depend on the complexity of the aerodrome, the number of organisations or apron users that have to be informed, already existing systems, etc.



**AMC1 ADR.OPS.D.070 Alerting of emergency services**

## GENERAL

The aerodrome operator should:

- (a) establish and implement procedures to alert emergency services when required on the apron; and
- (b) make publicly available contact details for alerting the emergency services.

**GM1 ADR.OPS.D.070 Alerting of emergency services**

## PROCEDURE FOR ALERTING RESCUE AND FIREFIGHTING SERVICES

The purpose of the procedure is to provide staff with the necessary information (including means and contact details) to ensure the timely notification of the rescue and firefighting services. It could also include the information that has to be given to rescue and firefighting services in order to handle the incident efficiently, e.g. location of the incident, nature of the incident, damages, injuries, etc.

**GM2 ADR.OPS.D.070 Alerting of emergency services**

## MEANS FOR ALERTING EMERGENCY SERVICES

The means that could be used for alerting the emergency services depends on the size and complexity of the aerodrome. The local requirements should be assessed and the most appropriate means should be established. These could include:

- (a) radio;
- (b) telephones; and
- (c) emergency buttons.

**AMC1 ADR.OPS.D.075 Training**

## COMPETENCY

Persons should be considered as competent in their job upon successful completion of the correspondent initial and on-the-job-training. Competency should be maintained upon successful completion of recurrent training.

**AMC2 ADR.OPS.D.075 Training**

## INSTRUCTORS — ASSESSORS

Instructors and assessors should meet the requirements of AMC2 ADR.OR.D.018(c).

**AMC1 ADR.OPS.D.075(a) Training**

## MARSHALLERS' TRAINING

- (a) Aircraft marshallers should have successfully completed initial, on-the job-training, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome.
- (b) The initial training should include, at least, the following:
  - (1) role and responsibilities of the marshalling service;
  - (2) the visual signals included in Regulation (EU) No 923/2012 Appendix 1 — Signals for aerodrome traffic;



- (3) aircraft characteristics, both physical and operating, that relate to manoeuvring of aircraft within the confines of the apron;
  - (4) personal safety procedures around aircraft and particularly engines;
  - (5) emergency procedures in the event of an accident or incident on the apron;
  - (6) procedures for low visibility operations;
  - (7) driving on the apron;
  - (8) emergency stop procedures for visual docking guidance system, if applicable; and
  - (9) aircraft stand configuration and layout.
- (c) On-the-job training should include marshalling of aircraft under the supervision of an adequately qualified and experienced marshalling service instructor.
- (d) Following qualification, regular proficiency checks should establish the need for recurrent training which should contain a review of all or selected parts of the initial training syllabus.
- (e) Refresher training should contain a review of the entire initial training syllabus.
- (f) Aircraft marshallers should be briefed or, if required, trained on new procedures or changes to existing procedures.

**AMC1 ADR.OPS.D.075(b) Training****'FOLLOW-ME' VEHICLE DRIVERS' TRAINING**

- (a) 'FOLLOW-ME' vehicle drivers should have successfully completed initial, on-the-job-training, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome.
- (b) The initial training should include, at least, the following:
- (1) role and responsibilities of the 'FOLLOW-ME' driver;
  - (2) the content of AMC2 ADR.OPS.B.025;
  - (3) 'FOLLOW-ME' specific communication procedures, including radiotelephony procedures;
  - (4) the visual signals included in Regulation (EU) No 923/2012 Appendix 1 — Signals for aerodrome traffic;
  - (5) aircraft taxiing speeds and correct aircraft-vehicle spacing;
  - (6) specific procedures for leading aircraft and/or vehicles;
  - (7) aircraft characteristics, both physical and operational;
  - (8) 'FOLLOW-ME' specific procedures for low visibility operations;
  - (9) emergency procedures in the event of an accident or incident; and
  - (10) operation of 'FOLLOW-ME' vehicles and its equipment.
- (c) On-the-job training should include the provision of 'FOLLOW-ME' guidance to aircraft and vehicles, as well as the operation of the 'FOLLOW-ME' vehicle under the supervision of an adequately qualified and experienced 'FOLLOW-ME' instructor.



- (d) Following qualification, regular proficiency checks should establish the need for recurrent training which should contain a review of all or selected parts of the initial training syllabus.
- (e) Refresher training should contain a review of the entire initial training syllabus.
- (f) 'FOLLOW-ME' vehicle drivers should be briefed or, if required, trained on new procedures or changes to existing procedures.

#### **SUBPART E — APRON MANAGEMENT SERVICES**

##### **AMC1 ADR.OPS.E.005 Management of aircraft movement on the apron by the provider of apron management services**

###### **AIRCRAFT GUIDANCE**

Prior to the movement of aircraft on the apron, appropriate instructions are provided to the persons directly responsible for the safe manoeuvring of the aircraft by using the means described in AMC1 ADR.OPS.D.010.

##### **AMC1 ADR.OPS.E.010 Coordination of aircraft entry to /exit from the apron**

###### **COORDINATION**

The provider of apron management services, should coordinate the aircraft entry to/exit from the apron with the air traffic services provider through the agreed handover points.

##### **AMC2 ADR.OPS.E.010 Coordination of aircraft entry to/exit from the apron**

###### **COORDINATION PROCEDURE**

The coordination procedure between the provider of apron management services and the air traffic services provider should contain at least the following:

- (a) The boundaries as described according to ADR.OPS.D.020;
- (b) The handover points between apron and manoeuvring area;
- (c) The holding areas;
- (d) The means of guidance for the aircraft taxiing;
- (e) The operational information to be exchanged between both parties; and
- (f) The push back operations, when interfering with the manoeuvring area.

##### **GM1 ADR.OPS.E.010 Coordination of aircraft entry to/exit from the apron**

###### **HOLDING AREAS**

When aircraft parking stands are not available, then it is necessary to define areas where arriving aircraft will hold until an aircraft stand is vacant. The location of the holding areas should be agreed between the aerodrome operator, the air traffic services provider and the provider of apron management services taking into account various factors such as the movement area layout, traffic density, etc.



**AMC1 ADR.OPS.E.020 Formal arrangements between the provider of apron management services and the air traffic services provider****CONTENT**

The formal arrangements between the provider of apron management services and the air traffic services provider or between the aerodrome operator, when it provides apron management services, and the air traffic services provider should include at least the following:

- (a) Definition of the areas of responsibilities;
- (b) Definition of handover points between apron management services and air traffic services;
- (c) Communication procedures including means of communication;
- (d) Identification of points of contacts for operations;
- (e) Operational procedures for coordination;
- (f) Procedures for the delivery of start-up clearances;
- (g) Procedures for the issue of push back authorizations;
- (h) Coordination of vehicles' movements;
- (i) Low visibility operations;
- (j) Winter operations;
- (k) Emergency procedures;
- (l) Dissemination of information.

**AMC1 ADR.OPS.E.025 Start-up clearances and taxi instructions**

The following arrangements should exist between the apron management service and air traffic services in accordance with the written agreement as defined in ADR.OPS.E.020:

- (a) Definition of the authority to issue start-up clearances;
- (b) Means to inform each other for start-up clearances given;
- (c) Means to inform each other of taxi instructions given; and
- (d) Establishment of coordination procedure.

**AMC1 ADR.OPS.E.030 Training****APRON MANAGEMENT SERVICE**

- (a) The apron management service provider should ensure that personnel providing instructions to aircraft or vehicles on the apron through RTF have successfully completed initial, on-the-job training and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome;
- (b) Initial training, should include at least the following subjects:
  - (1) General overview of apron management;
  - (2) Aeronautical Law;
  - (3) Apron Management Services Equipment;



- (4) Communication and phraseology;
  - (5) Procedures for arriving aircraft;
  - (6) Procedures for departing aircraft;
  - (7) Procedures for emergencies and incidents;
  - (8) Safety awareness;
  - (9) Stand allocation;
  - (10) Ground servicing;
  - (11) Coordination between apron management services and air traffic services; and
  - (12) All weather operations
- (c) Unit training, which should include theoretical and practical training under the supervision and assessment of qualified personnel in the unit in which he/she is going to provide the service.
- During the development of their duties:*
- (d) Following qualification, regular proficiency checks should establish the need for recurrent training which should contain a review of all or selected parts of the initial training content should be conducted;
  - (e) Refresher training should contain a review of the entire initial training content.
  - (f) The aerodrome operator should ensure that personnel providing instructions to aircraft or vehicles on the apron through RTF are briefed or, if required, trained on new procedures or changes to existing procedures.

**GM1 ADR.OPS.E.030 Training****INITIAL TRAINING — PERSONNEL PROVIDING VERBAL INSTRUCTIONS TO AIRCRAFT**

An initial training course including both theoretical and practical training may contain the subjects listed in the following modules:

**Module 1. General overview of apron management**

- (a) Air traffic procedures relevant to the aerodrome operations (Air Traffic Regulation);
- (b) Air Traffic Flow Management (ATFM) Basic knowledge;
- (c) Introduction to apron management services;
- (d) Description of tasks and responsibilities;
- (e) Aircraft characteristics — aircraft types and airlines identification;
- (f) Meteorology basics;
- (g) Operational agreements and procedures for cooperation between apron management services and other entities;
- (h) Traffic priorities in the apron — Aircraft, equipment, vehicles;
- (i) Basic knowledge of air navigation services;



(j) Aeronautical Information Publication.

Module 2. Aeronautical Law

(a) Introduction to Aeronautical Law;

(b) International bodies;

(c) National bodies;

(d) Overview of relevant national and international legislation.

Module 3. Apron Management Services Equipment

(a) IT systems;

(b) Communication systems;

(c) Surveillance systems, such as CCTV, SMR, etc.;

(d) Lighting systems;

(e) Docking Systems;

(f) Backup systems.

Module 4. Communication procedures and phraseology

(a) Radiotelephony communication phraseology;

(b) Communication procedures during emergencies;

(c) Radio communication with aircraft;

(d) Other communications on the apron.

Module 5. Procedures for arriving aircraft

(a) Coordination with ATS and handover;

(b) Aircraft taxiing;

(c) Holding areas;

(d) Recording of On Block Time;

(e) ACDM procedures.

Module 6. Procedures for departing aircraft

(a) Start-up clearances;

(b) Push back — towing;

(c) Aircraft taxiing;

(d) Coordination with ATS and handover;

(e) Recording of Off Block Time;

(f) ACDM procedures.



Module 7. Procedures for emergencies and incidents

- (a) Aerodrome emergency plan awareness;
- (b) Alerting of emergency services;
- (c) Aircraft emergencies;
- (d) Aircraft incidents on the apron;
- (e) Other emergencies and incidents.

Module 8. Safety awareness

- (a) Human factors;
- (b) Safety management basics;
- (c) Internal and/or Aerodrome Safety Management System.

Module 9. Stand allocation

- (a) Factors affecting stand allocation;
- (b) Stand allocation procedures.

Module 10. Ground servicing

- (a) Turn around process overview;
- (b) Special ground servicing procedures.

Module 11. Coordination between AMS and ATS

- (a) Written agreement between AMS and ATS;
- (b) Operational procedures for cooperation between apron management service and air traffic services;
- (c) Communication with ATS;
- (d) Areas of responsibilities.

Module 12. All Weather Operations

- (a) Visibility conditions;
- (b) Adverse weather procedures;
- (c) Winter operations.

**GM2 ADR.OPS.E.030 Training****UNIT TRAINING — PERSONNEL PROVIDING VERBAL INSTRUCTIONS TO AIRCRAFT**

The theoretical training should consist of specific training on the aerodrome infrastructure, local conditions and procedures in which the trainee will provide the service. The theoretical training may include the following subjects:

- (a) Local operational agreements;
- (b) Aerodrome layout;



## (c) Local aerodrome procedures:

- (1) low visibility;
- (2) adverse weather;
- (3) aerodrome emergency plan;
- (4) coordination with ATS Unit;
- (5) handover points;
- (6) Contingency procedures in case of systems failures;
- (7) etc.

On-the-job training should include the provision of the service under the supervision of an adequately qualified and experienced instructor on the provision of the service.



## 4. Individual comments (and responses)

In responding to comments, a standard terminology has been applied to attest the Agency’s position. This terminology is as follows:

- (a) **Accepted** — The Agency agrees with the comment and any proposed amendment is wholly transferred to the revised text.
- (b) **Partially accepted** — The Agency either agrees partially with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.
- (c) **Noted** — The Agency acknowledges the comment but no change to the existing text is considered necessary.
- (d) **Not accepted** — The comment or proposed amendment is not shared by the Agency.

### 4.1. IV. CRD table of comments, responses and resulting text

| (General Comments) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | -                         |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| comment            | 42                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>Avinor</i> |
|                    | <p>Comments provided by ACI EUROPE represent the common agreed view of our members. However, given the diversity of conditions under which European airports operate – due to their different size, geographic location and other local circumstances – ACI EUROPE is not in a position to address each and every issue raised by individual airports and/or national airport associations in our response. Nevertheless, these issues are of crucial importance for the future existence of these airports and we recommend that EASA considers and adopts as many of these comments as possible.</p> |                           |
| response           | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |
| comment            | 43                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>Avinor</i> |
|                    | <p>EASA should clarify that only one certificate is needed if the aerodrome operator provides the apron management service at its aerodrome itself. A separate certificate for apron management services does not make any sense if the aerodrome operator already holds a certificate for aerodrome operations and apron management service as a part of its aerodrome manual.</p>                                                                                                                                                                                                                    |                           |
| response           | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |



Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.

comment

44

comment by: *Avinor*

Throughout the entire text EASA should make sure that apron management service "functions", "systems" and "providers" are clearly distinguished and that the regulatory provisions clearly identify which of the three is meant.

response

*Accepted*

The Agency, in order to make the allocation of responsibilities more clear, has distinguished the responsibilities of the aerodrome operator and the provider of apron management services. In the revised text, the requirements for the aerodrome operator are included in ADR.OPS.D, and the requirements for the provider of apron management services are included in ADR.OPS.E.

comment

45

comment by: *Avinor*

Replace "leader van" by "follow-me" or "follow-me-vehicle" throughout the text.

response

*Accepted*

Although the official term used in ICAO Doc 9137 is 'leader van', the proposal to use the term 'follow-me' is accepted, in order to avoid confusion.

comment

83

comment by: *Flughafen Berlin Brandenburg GmbH*

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p>Replace "leader van" by "follow-me" or "follow-me-vehicle" throughout the entire text.</p> <p><i>Accepted</i></p> <p>Although the official term used in ICAO Doc 9137 is 'leader van', the proposal to use the term 'follow-me' is accepted, in order to avoid confusion.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>98 <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p> <p>Throughout the entire text EASA should make sure that apron management service "functions", "systems" and "providers" are clearly distinguished and that the regulatory provisions clearly identify which of the three is meant.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| response | <p><i>Accepted</i></p> <p>The Agency, in order to make the allocation of responsibilities more clear, has distinguished the responsibilities of the aerodrome operator and the provider of apron management services. In the revised text, the requirements for the aerodrome operator are included in ADR.OPS.D, and the requirements for the provider of apron management services are included in ADR.OPS.E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| comment  | <p>165 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p>Attachments <a href="#">#1</a> <a href="#">#2</a> <a href="#">#3</a> <a href="#">#4</a> <a href="#">#5</a> <a href="#">#6</a> <a href="#">#7</a> <a href="#">#8</a> <a href="#">#9</a> <a href="#">#10</a> <a href="#">#11</a></p> <p>Please find below 11 general comments from Union des Aéroports Français (UAF). PDF files are given to.</p> <p><b>1 - La terminologie « service de gestion d'aire de trafic ».</b><br/> <b>Commentaires</b><br/> La terminologie de gestion d'aire de trafic (<i>apron management service</i>), bien que défini dans le règlement de base ((CE) n°216/2008) est utilisée abondamment dans le texte de la NPA et de manière si indifférenciée qu'elle prête à confusion. En effet, nous discernons à travers les différentes règles un mélange entre l'organisme gestionnaire, la fonction de gestion d'aire de trafic et le service offert. Or il a été employé dans tous les cas la terminologie « apron management service ».</p> <p>Ainsi, pour certaines règles, il s'agirait d'une entité à certifier et dans d'autres, il s'agirait d'une fonction qui pourrait être du ressort de l'exploitant d'aérodrome et qui serait alors à inclure dans le champ du certificat d'aérodrome.</p> <p><b>Propositions</b><br/> Nous proposons d'utiliser des terminologies différentes, selon que la règle concerne la fonction, le service offert ou l'organisme.</p> <ul style="list-style-type: none"> <li>• Dès qu'il s'agit du prestataire de gestion d'aire de trafic, utiliser: <i>apron management service unit</i> ou <i>apron service provider</i>.</li> <li>• Pour le service de gestion d'aire de trafic: <i>apron management service</i>.</li> <li>• Pour la fonction gestion d'aire de trafic : <i>apron management</i></li> </ul> <p style="text-align: center;"><b><u>Courtesy translation:</u></b> Terminology</p> <p><b>Comments</b><br/> The terminology of apron management service, although defined in the basic regulation (UE)</p> |



n°216 /2008) is abundantly used in the text of the NPA and in so undifferentiated that it is confusing. Indeed, we discern through all the rules a mixture between the apron management service provider, the function of apron management and the service offered.

It was used in every case the terminology " apron management service ".

### Proposal

We suggest to used different terminologie if the rule concerns the function, the offered service or the organization.

- For an organization, use: apron service unit or apron service provider.
- For a service: apron management service.
  
- For the function: apron management

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## 2 - Conséquences financières pour des exploitants d'aérodromes.

### Références

- *Regulatory Impact Assessment (RIA) § 2.3.4.4 Economic impact*

### Commentaires

L'AESA considère par principe que les textes qu'elle prépare ne doivent pas générer de charges nouvelles pour les exploitants d'aérodromes. Or il apparaît qu'un certain nombre de mesures vont entraîner des charges financières importantes (notamment concernant la formation des personnels, la supervision et le contrôle des aéronefs et des véhicules sur l'aire de trafic) et que de sérieuses incertitudes pèsent sur leurs modalités de financement.

**Courtesy translation** : Economical impact

### Comments

EASA considers on principle that the texts prepare should not create new burdens for aerodrome operators because this function is already included in the certificate. But it appears that a number of measures will lead to significant financial burden (especially on staff training, supervision and control of aircraft and management of vehicles on the apron) and serious uncertainties about how it will be financed.

---

## 3 - Certification ou déclaration ?

Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?

### Références

- Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.
- Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aérodromes.
- ADR.AR.A.005 (a) *Competent Authority*
- ADR.OR.B.005 (b) *Certification obligations of aerodromes, and aerodrome operators and providers of apron management services*



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

The first one: it is necessary to plan this activity in the certificate for operator performing) this function?

I - If it is a third party, should it be certified or a declaration is enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation.

#### **4 - Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).**

##### **Références**

- ADR.AR.C035 (b)(1) et (d) *Issuance of certificates*
- ADR.OPS.D.001 *Provision of services*
- ADR.OPS.D.005 *Functions of a provider of apron management services*

- Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

- S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

- S'assurer que des procédures de départ des avions sont établies et mises en œuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

**Courtesy translation** : Links between apron management services and regulations concerning ground handling

##### **Comments**

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports)) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))

- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )



- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))
- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

## 7 - répartitions des missions, responsabilités et principe de sécurité juridique

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

### Références

- ADR.OR.D.018 Training and proficiency check programs - providers of apron management services
  - o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs
- ADR.OR.D.032 Safety reporting system - providers of apron management services
- ADR.OPS.D.001 Provision of services
  - o GM1 ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services
- ADR.OPS.D.060 Aircraft parking
  - o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

### Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en œuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en œuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en œuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur



les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens. Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aéroports de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

#### Propositions

- ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

- ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

- AMC2.ADR.OPS.D.045 (c) Management of the apron safety

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;



“The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact” (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

“The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences” (13 mars 1990, Commission c/ France, C-30/89).

#### **Proposal**

- ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :

“The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity”.  
GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

- ADR.OPS.D.040 Right of way on the apron (b) (3)

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

#### **Commentaires**

Cette IR impose au prestataire de service de gestion d'aire de trafic de mettre en place pour son personnel les procédures établies par l'exploitant d'aérodrome en matière de consommation d'alcool, de substances psychoactives et de médicaments.

Or, Les prescriptions en la matière relèvent clairement en France des autorités de police (préfet) et non de l'exploitant d'aérodrome.

Par ailleurs, en France, en matière de droit du travail, l'article R. 4228-21 du code du travail dispose qu' "il est interdit de laisser entrer ou séjourner dans les lieux de travail des personnes en état d'ivresse". Pour sa part, la consommation de drogue fait l'objet d'une interdiction absolue (art. L. 3421-1 du code de la santé publique). De plus, chaque employeur prend des dispositions vis-à-vis de ses salariés dans le cadre du règlement intérieur pris en application de l'article L. 6321-1 du code du travail.

Outre la question de la compétence de l'exploitant d'aérodrome quant à l'édiction de telles règles et à l'absence de prérogatives pour les faire respecter. Il conviendrait d'imposer directement cette obligation à tous les opérateurs voir à tous les personnels sur le modèle des dispositions régissant les contrôleurs aériens.

#### **Proposition**

Supprimer l' ADR.OR.C.045

**Courtesy translation** : Use of alcohol, psychoactive substance and medicines

#### **Comments**

This implementing rule oblige apron management service to implement for his staff procedures with regard to the consumption of alcohol, psychoactive substances and medicine.



But, the prescriptions concerning the use of alcohol, psychoactive substance and medicines are clearly under the authorities of police and not under operator scope. However, regarding labor law, article R. 4228-21 of the labor French code arrange that «it is forbidden to let in or to stay in the workplaces of the people under the influence of drink ». For its part, the consumption of drug is the object of an absolute ban (art. L. 3421-1 of the public health code). Furthermore, every employer takes measures towards his employees within the framework of the internal rules taken in application of the article L. 6321-1 of the labor code.

Besides the question of the skill of operator to write such rules and for the lack of power to enforce them, why do not impose directly this obligation to all the operators the model of measures taken by the French authority concerning air-traffic controllers?

#### Proposal

Delete ADR.OR.C.045

### 10 -Formation

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

#### Références

- ADR.OR.D.005 (8) (9) Management system (training)
- ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services
- AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services
- ADR.OPS.D.085 Training

#### Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les sociétés d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en œuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D.085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

**Courtesy translation:** Training

#### Comments



The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).

Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"

There is clearly an overlapping area between both training programs. Is it about the same training program?

Finally the ADR.OPS.D.085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.

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## 11 - Coordination

Rôle de coordination dévolu à l'exploitant d'aérodrome

### Références

- ADR.OPS.D.015 Management. of aircraft movement on the apron
- ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron
- AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION
- ADR.OPS.D.025 Apron management boundaries.
- ADR.OPS.D.030 Assignment of radio frequencies to apron management service
- ADR.OPS.D.035 Management of vehicle movements
  - AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES
  - AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS
- ADR.OPS.D.045 Management of apron safety
- ADR.OPS.D.050 Aircraft stand allocation
- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.065 Aircraft departure
- ADR.OPS.D.085 Training

### Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur



l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en œuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025 *Apron management boundaries* impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en œuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

### **Propositions**

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

**Courtesy translation:** Coordination



**Comments**

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025 *Apron management boudaries* oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

**Proposal**

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response *Accepted*

Considering the general comment, indeed, there was a confusion between organisations,



services and functions. In order to provide more clarity, responsibilities assigned to the aerodrome operator, irrespective of the existence of an apron management service provider have been retained in Subpart D, while responsibilities of a provider of apron management services have been moved into the new Subpart E.

Concerning the comments on the IRs and AMC/GM, please refer to the respective parts.

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                   |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| comment  | 205                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>Swedavia AB - Swedish airports</i>                 |
|          | EASA should clarify that only one certificate is needed if the aerodrome operator provides the apron management service at its aerodrome itself. A separate certificate for apron management services does not make any sense if the aerodrome operator already holds a certificate for aerodrome operations and apron management service as a part of its aerodrome manual.                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                   |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                   |
|          | Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so. |                                                                   |
| comment  | 206                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>Swedavia AB - Swedish airports</i>                 |
|          | Throughout the entire text EASA should make sure that apron management service "functions", "systems" and "providers" are clearly distinguished and that the regulatory provisions clearly identify which of the three is meant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                   |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                   |
|          | The Agency, in order to make more clear the allocation of responsibilities, has distinguished the responsibilities of the aerodrome operator and the provider of apron management services. In the revised, text the requirements for the aerodrome operator are included in ADR.OPS.D, and the requirements for the provider of apron management services are included in ADR.OPS.E.                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                   |
| comment  | 207                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>Swedavia AB - Swedish airports</i>                 |
|          | Replace "leader van" by "follow-me" or "follow-me-vehicle" throughout the text.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                   |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                   |
|          | Although the official term used in ICAO Doc 9137 is 'leader van', the proposal to use the term 'follow-me' is accepted, in order to avoid confusion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                   |
| comment  | 250                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>Nordic ADR Group (NO, SE, DK, FI, IC &amp; EE)</i> |



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|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>This NPA establish common training requirements for persons involved in the provision of apron management services in view of a common approach of safety and ensuring staff mobility. The next natural step is not only to certify the providers, but also the personnel actually providing the service. The benefits are:</p> <ul style="list-style-type: none"> <li>a) Ensuring staff mobility</li> <li>b) Improved possibilities for the authorities to perform ongoing oversight and to handle findings and enforcement measures for personnel in case of non-compliances (there will be something to suspend..)</li> <li>c) Follow the general trend in Europe: all aviation-safety related tasks are performed by authorized and/or licensed personnel.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Noted</i></p> <p>Regulation (EU) No 139/2014 sets the training requirements for personnel involved in aerodrome operations. The NPA introduces specific training requirements for persons providing verbal instructions to aircraft through R/T, marshallers and 'FOLLOW ME' drivers, supporting this way staff mobility. However, the Basic Regulation does not currently foresee any kind of licence for those persons.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>292 <span style="float: right;">comment by: <i>European Transport Workers Federation - ETF</i></span></p> <p>The structure of the ANNEX IV (Part Operations Requirements — Aerodromes (Part ADR.OPS) ) - SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) is not satisfactory. Some requirements mentionned here apply to all aerodrome operators and some are directed at apron management service operators when such a unit is established. ETF is of the opinion that a general subpart about services to be provided at any aerodrome covered in the scope of this regulation shall be established and a distinct subpart for aerodromes at which an apron management service operator is appointed. In all cases, some level of apron management is necessary even if a dedicated unit is not established. ETF, representing especially ATM staff, is awaiting from this regulation to have requirements for aerodrome operators to assign an interlocutor for the ATS unit when existing. The purpose of this comment is not only clarity but also safety as there is a significant risk that some aerodrome operators will disregard this subpart, the GM provided is not enough in our opinion to prevent this from happening.</p> |
| response | <p><i>Accepted</i></p> <p>Requirements addressed to the aerodrome operator, irrespective of the existence of a provider of apron management services have been retained in Subpart D, while responsibilities addressed to the provider of apron management services, when established, have been moved to the new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>293 <span style="float: right;">comment by: <i>European Transport Workers Federation - ETF</i></span></p> <p>A clear definition of what apron management service provision is, is probably missing to help operators understand the scope of this proposed regulation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Not accepted</i></p> <p>The definition of the apron management service is included in Regulation (EC) No 216/2008, therefore, it is not appropriate to develop another one.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



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| comment  | 303                                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: <i>European Transport Workers Federation - ETF</i> |
|          | Nowhere in this proposed regulation about apron is it said that markings on the apron are to be followed unless other instructions are provided.                                                                                                                                                                                                                                                                                           |                                                                |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                |
| comment  | 304                                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: <i>European Transport Workers Federation - ETF</i> |
|          | ETF cannot understand the reasons of EASA to remove the requirements about who and how to decide whether to establish an AMS unit or not. The operator's decision only is not sufficient. We would like EASA to reconsider the possibility for a member state or a competent authority to impose the establishment of such a unit to an aerodrome operator.                                                                                |                                                                |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                |
|          | There are two issues that should be considered. Firstly, apron management, and secondly, the establishment of a dedicated apron management service. Apron management exists at every aerodrome and is the responsibility of the aerodrome operator to ensure that apron operations are properly managed (see AMC1 ADR.OPS.D.002). The establishment of dedicated unit depends on various factors which are explained in GM1 ADR.OPS.D.002. |                                                                |
| comment  | 334                                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: <i>Finavia</i>                                     |
|          | It is not clear that if there is not a need to establish a separate apron management unit but the individual parts of services, like FOLLOW-ME or marshalling, are provided at the aerodrome so what provisions of this NPA shall be followed? In very small airports these requirements are far too oversized and may cause a lot of extra burden and costs.                                                                              |                                                                |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                |
|          | The establishment of an apron management unit is not a requirement for every aerodrome and, of course, it is disproportionate to require this unit for small aerodromes. However, some basic functions are performed at every airport irrespective of its size, for example aircraft guidance either using 'FOLLOW ME' or marshallers, etc. How these functions are performed is described in the relevant AMC and GM.                     |                                                                |
| comment  | 353                                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: <i>Aéroports De Lyon</i>                           |
|          | Quel est le périmètre d'activité d'un "Provider of AMS"?? Pas clairement défini dans le texte.                                                                                                                                                                                                                                                                                                                                             |                                                                |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                |
|          | In order to make the activities of the provider of apron management services more visible, a new Subpart E has been created including all the requirements for them.                                                                                                                                                                                                                                                                       |                                                                |
| comment  | 355                                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: <i>Aéroports De Lyon</i>                           |
|          | Comment cela va-t-il se passer lorsque plusieurs entités sont « provider of AMS » ?? SNA / Assistant / Exploitant ? Par exemple, aujourd'hui, à LYS, chacun est <u>responsable de son domaine de compétence</u> , il n'y a pas une entité responsable de toutes ces activités :<br>· SNA : Information sol aire de trafic, etc...                                                                                                          |                                                                |



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|          | <ul style="list-style-type: none"> <li>· <i>Assistant</i> : guidage avion / Traitement avion au poste de stationnement / autorisation de conduite sur l'aire de trafic de son personnel / Sécurité de ses équipements, etc...</li> <li>· <i>Exploitant</i> : Allocation parkings avion /sécurité en piste / autorisation de conduite sur l'aire de trafic de son personnel + sur demande / sécurité des infrastructures et certains équipements, etc...</li> <li>· <i>GTA</i> : Contrôle du respect des règles de circulation véhicule / Contrôle du respect des règles de sécurité, etc...</li> </ul>                                                                                                                                                                                                                |
| response | <p><i>Noted</i></p> <p>The proposed text has been rearranged and in many cases redrafted in order to make the allocation of responsibilities more visible. Requirements for the aerodrome operator have been retained in Subpart D, while requirements for the providers of apron management services have been included in the new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>371 <span style="float: right;">comment by: ACI EUROPE (Airports Council International)</span></p> <p>Comments provided by ACI EUROPE represent the common agreed view of our members. However, given the diversity of conditions under which European airports operate – due to their different size, geographic location and other local circumstances – ACI EUROPE is not in a position to address each and every issue raised by individual airports and/or national airport associations in our response. Nevertheless, these issues are of crucial importance for the future existence of these airports and we recommend that EASA considers and adopts as many of these comments as possible.</p>                                                                                                          |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>373 <span style="float: right;">comment by: ACI EUROPE (Airports Council International)</span></p> <p>EASA should clarify that only one certificate is needed if the aerodrome operator provides the apron management service at its aerodrome itself. A separate certificate for apron management services does not make any sense if the aerodrome operator already holds a certificate for aerodrome operations and apron management service as a part of its aerodrome manual.</p>                                                                                                                                                                                                                                                                                                                             |
| response | <p><i>Accepted</i></p> <p>Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.</p> |
| comment  | <p>376 <span style="float: right;">comment by: ACI EUROPE (Airports Council International)</span></p> <p>Throughout the entire text EASA should make sure that apron management service "functions", "systems" and "providers" are clearly distinguished and that the regulatory</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|          | provisions clearly identify which of the three is meant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <p><i>Accepted</i></p> <p>The Agency, in order to make the allocation of responsibilities more clear, has distinguished the responsibilities of the aerodrome operator and the provider of apron management services. In the revised text the requirements for the aerodrome operator are included in ADR.OPS.D and the requirements for the provider of apron management services are included in ADR.OPS.E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>378 <span style="float: right;">comment by: ACI EUROPE (Airports Council International)</span></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|          | Replace "leader van" by "follow-me" or "follow-me-vehicle" throughout the text.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|          | Although the official term used in ICAO Doc 9137 is 'leader van', the proposal to use the term 'follow-me' is accepted, in order to avoid confusion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>435 <span style="float: right;">comment by: ACI EUROPE (Airports Council International)</span></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|          | <p>Subpart D - Apron Management Services (pp. 59-74):</p> <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | <p>478 <span style="float: right;">comment by: UK CAA</span></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|          | <p><b>Page No:</b> N/A</p> <p><b>Paragraph No:</b> General</p> <p><b>Comment:</b> In several places the draft IRs place responsibilities onto the aerodrome operator. At smaller aerodromes these might be carried out directly by the aerodrome operator. However, at larger aerodromes these are routinely carried out by the apron management service provider (AMSP) or another organisation (e.g. handling agent (H/A)). In this case the aerodrome operator sets policies and oversees the AMSP/HA to ensure continuing satisfactory performance.</p> <p>Examples include:</p> <ul style="list-style-type: none"> <li>· ADR.OPS.D.015 Management of aircraft movement on the apron</li> <li>· ADR.OPS.D.050 Aircraft stand allocation</li> <li>· ADR.OPS.D.060 Aircraft parking</li> <li>· ADR.OPS.D.065 Aircraft departure</li> </ul> <p>Because such tasks would normally be delegated or contracted by the aerodrome operator, attention should be drawn to Recital 8 of the Aerodrome Regulation (Regulation 139/2014),</p> |



included below:

“Specific services referred to in subpart B of Annex IV (Part ADR.OPS) should be provided at an aerodrome. In some cases these services are not directly provided by the aerodrome operator, but by another organisation or State entity, or combination of both. In such cases the aerodrome operator, being responsible for the operation of the aerodrome, should have arrangements and interfaces with these organisations or entities in place to ensure the provision of services according to the requirements stated in Annex IV. When such arrangements and interfaces are in place the aerodrome operator should be considered as having discharged their responsibility and should not be understood to be directly responsible or liable for any non-compliances by another entity involved in the arrangement, provided that it has complied with all applicable requirements and obligations laid down in this Regulation relevant to its responsibility under the arrangement”.

The applicability of this should be extended to include the specific services referred to in Subpart D, to ensure a consistent approach to the AMS activities not directly carried out by the aerodrome operator. Therefore, when the aerodrome regulation is amended to include apron management services, the reference to specific services contained in subpart D should be included.

**Justification:** Consistency and clarity for the aerodrome operator and Competent Authorities responsible for oversight.

**Proposed Text:** “Specific services referred to in subparts **B and D** of Annex IV (Part ADR.OPS) should be provided at an aerodrome. In some cases these services are not directly provided by the aerodrome operator, but by another organisation or State entity, or combination of both. In such cases the aerodrome operator, being responsible for the operation of the aerodrome, should have arrangements and interfaces with these organisations or entities in place to ensure the provision of services according to the requirements stated in Annex IV. When such arrangements and interfaces are in place the aerodrome operator should be considered as having discharged their responsibility and should not be understood to be directly responsible or liable for any non-compliances by another entity involved in the arrangement, provided that it has complied with all applicable requirements and obligations laid down in this Regulation relevant to its responsibility under the arrangement”.

response

*Accepted*

A new Recital (8) has been included in the Cover Regulation as proposed.

comment

513

comment by: *BAA Airside operations*

Throughout the entire text EASA should make sure that apron management service "functions", "systems" and "providers" are clearly distinguished and that the regulatory provisions clearly identify which of the three is meant.

response

*Accepted*

The Agency, in order to make the allocation of responsibilities more clear, has distinguished the responsibilities of the aerodrome operator and the provider of apron management services. In the revised text, the requirements for the aerodrome operator are included in ADR.OPS.D, and the requirements for the provider of apron management services are included in ADR.OPS.E.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| comment  | <p>611</p> <p>comment by: <i>Federal Office of Civil Aviation FOCA</i></p> <ol style="list-style-type: none"> <li>1. According to existing ICAO regulations on apron management, the responsibility for apron management services basically lies with the aerodrome operator, which may delegate the related tasks to a third organisation. Notwithstanding this delegation, the aerodrome operator is the responsible body being accountable to the Competent Authority. This scheme should not be changed as current responsibilities would shift away from the aerodromes operator - which is responsible for a safe and efficient aerodrome operation as a whole - creating uncertainties with regard to current responsibilities of an aerodrome operator. As an example: In case of operational restrictions prescribed by the Competent Authority, the addressee must be the aerodrome operator and not the apron management service provider.<br/>Generally, the regulation needs to clearly define/attribute the responsibilities lying either with the aerodrome operator or the apron management provider.</li> <li>2. Throughout the NPA there is some unclarity and inconsistent use of the terms (apron management service) 'functions', 'provisions', and 'provider'. It should be made sure that the correct terminology and functions are used consistently.</li> <li>3. FOCA suggests to consistently use the ICAO terminology, i. e. 'follow-me' instead of 'leader van'.</li> <li>4. The NPA does not include medical fitness requirements. FOCA believes that such medical requirements should be defined, similar to the ATCO medical requirements (i. e. apron management service providers issuing taxi instructions), being in line with Art.17 Regulation (EU) No. 805/2011 . According to NPA/CRD 2012-018 medical fitness is one of the human performance pillars and therefore needs to be considered as a safety issue.</li> <li>5. No language proficiency levels have been defined. FOCA believes that this is a safety-relevant issue. Level 4 in the language of radio telephony voice must be reached and maintained, same as for ATCO or pilots. Not in line with Regulation (EU) No. 805/2011 resp. NPA/CRD 2012-018.</li> <li>6. The regulation should include the option to issue licenses to apron management service staff giving taxi instructions (not in line with Regulation (EU) No. 216/2008 Annex Vb; 1108/2009).</li> <li>7. With regard to certification it needs to be clarified that a double certificate is not required if the aerodrome operator also provides the apron management service at its aerodrome.</li> <li>8. In view of a harmonized approach throughout Europe, clear principles should be established as to the area of responsibility concerning/covering the ATC ground (manoeuvring area) and the apron management services (apron) respectively. FOCA suggests to include/clarify ICAO definition of "apron" and the type and function of a apron-taxiway, etc. This would support the Member States establishing apron areas of responsibility in a more harmonized way which for the time being is not the case.</li> <li>9. The NPA contains no additional definitions. Terms like "apron management service boundary" should be defined as currently no clear definition exists in Regulation 139/2014.</li> </ol> |
| response | <p><i>Partially accepted</i></p> <p><b>Comment 1 – Accepted</b></p> <p>In ADR.AR.A.030, a new point (e) has been added as follows:</p> <p>(e) Measures notified to providers of apron management services shall also be notified to the operator of the aerodrome where the service is provided.</p> <p>In ADR.AR.A.040, a new point (e) has been amended as follows:</p> <p>(e) Safety directives forwarded to providers of apron management services shall also be</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



notified to the operator of the aerodrome where the service is provided.

Comment 2 – **Noted**

Comment 3 – **Accepted**

Comment 4 – **Not accepted**

In principle, this is a correct statement, however, there is not any legal requirement in the Basic Regulation for developing medical requirements for those persons.

Comment 5 – **Noted**

Comment 6 – **Not accepted**

Currently, there are not any provisions in the Basic Regulation.

Comment 7 – **Accepted**

Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself.

Comment 8 – **Not accepted**

The definition of 'apron' is included in the Basic Regulation and the definition of 'apron taxiway' is included in Regulation (EU) No 139/2014. However, the area where apron management services would be provided, depends on the local conditions and operating procedures and the agreements between the aerodrome operator and the air traffic services provider.

Comment 9 – **Not accepted**

It is not considered necessary to provide a definition since it is self-evident.

comment 613

comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*

Attachment [#12](#)

Comment 1 Terminology

Objet

La terminologie « service de gestion d'aire de trafic ».

Commentaires

La terminologie de gestion d'aire de trafic (apron management service), bien que défini dans le règlement de base ((CE) n°216/2008) est utilisée abondamment dans le texte de la NPA et de manière si indifférenciée qu'elle prête à confusion. En effet, nous discernons à travers les différentes règles un mélange entre l'organisme gestionnaire, la fonction de gestion d'aire de trafic et le service offert. Or il a été employé dans tous les cas la terminologie « apron management service ».

Ainsi, pour certaines règles, il s'agirait d'une entité à certifier et dans d'autres, il s'agirait d'une fonction qui pourrait être du ressort de l'exploitant d'aérodrome et qui serait alors à inclure dans le champ du certificat d'aérodrome.



Propositions  
 Nous proposons d'utiliser des terminologies différentes, selon que la règle concerne la fonction, le service offert ou l'organisme.

- Dès qu'il s'agit du prestataire de gestion d'aire de trafic, utiliser: apron management service unit ou apron service provider.
- Pour le service de gestion d'aire de trafic: apron management service.
- Pour la fonction gestion d'aire de trafic : apron management

Courtesy translation  
 Terminology  
 Comments

The terminology of apron management service, although defined in the basic regulation (UE n°216 /2008) is abundantly used in the text of the NPA and in so undifferentiated that it is confusing. Indeed, we discern through all the rules a mixture between the apron management service provider, the function of apron management and the service offered. It was used in every case the terminology " apron management service ".

Proposal  
 We suggest to used different terminologie if the rule concerns the function, the offered service or the organization.

- For an organization, use: apron service unit or apron service provider.
- For a service: apron management service.
- For the function: apron management

response

*Accepted*

Indeed, there was a confusion between organisations, services and functions. In order to provide more clarity, responsibilities assigned to the aerodrome operator, irrespective of the existence of an apron management service provider, have been retained in Subpart D, while responsibilities of a provider of apron management services have been moved into the new Subpart E.

comment

631

comment by: *Aéroport de Marseille - MRS/LFML*Attachment [#13](#)**Objet**

La terminologie « service de gestion d'aire de trafic ».

**Commentaires**

La terminologie de gestion d'aire de trafic

(*apron management service*), bien que défini dans le règlement de base ((CE) n°216/2008) est utilisée abondamment dans le texte de la NPA et de manière si indifférenciée qu'elle prête à confusion. En effet, nous discernons à travers les différentes règles un mélange entre l'organisme gestionnaire, la fonction de gestion d'aire de trafic et le service offert. Or il a été employé dans tous les cas la terminologie « apron management service ».

Ainsi, pour certaines règles, il s'agirait d'une entité à certifier et dans d'autres, il s'agirait d'une fonction qui pourrait être du ressort de l'exploitant d'aérodrome et qui serait alors à inclure dans le champ du certificat d'aérodrome.

**Propositions**

Nous proposons d'utiliser des terminologies différentes, selon que la règle concerne la fonction, le service offert ou l'organisme.

- Dès qu'il s'agit du prestataire de gestion d'aire de trafic, utiliser:



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p><i>apron management service unit ou<br/>apron service provider.</i></p> <p>- Pour le service de gestion d'aire de trafic:<br/><i>apron management service.</i></p> <p>- Pour la fonction gestion d'aire de trafic :<br/><i>apron management</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Accepted</i></p> <p>Indeed, there was a confusion between organisations, services and functions. In order to provide more clarity, responsibilities assigned to the aerodrome operator, irrespective of the existence of an apron management service provider have been retained in Subpart D, while responsibilities of a provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>635 <span style="float: right;">comment by: <i>Aéroport de Marseille - MRS/LFML</i></span></p> <p>Attachment <a href="#">#14</a></p> <p><b>Objet</b><br/>Conséquences financières pour des exploitants d'aérodromes.<br/>Références<br/><i>Regulatory Impact Assessment (RIA) § 2.3.4.4</i><br/><i>Economic impact</i><br/>Commentaires<br/>L'AESA considère par principe que les textes qu'elle prépare ne doivent pas générer de charges nouvelles pour les exploitants d'aérodromes. Or il apparaît qu'un certain nombre de mesures vont entraîner des charges financières importantes (notamment concernant la formation des personnels, la supervision et le contrôle des aéronefs et des véhicules sur l'aire de trafic) et que de sérieuses incertitudes pèsent sur leurs modalités de financement.</p>                                                                                                                                                         |
| response | <p><i>Not accepted</i></p> <p>The NPA deals with two issues. The first one is related to the certification, declaration and oversight of an apron management service provider, and the second with the procedures related to operations on the apron. With regard to the first issue, the NPA does not mandate the establishment of such unit. This is a decision that has to be taken at local level and the Agency does not intend to intervene on this issue. With regard to the second issue, it has to be reminded that the Agency took the decision to deal with the apron management issues at a later stage. For that reason, it was decided that operational procedures related to apron would not be discussed in the former ADR.002 rulemaking group dealing with aerodrome operations.</p> <p>The training requirements for staff involved in aerodrome operations are stemming from Annex Va to the Basic Regulation, therefore, they cannot be ignored.</p> |
| comment  | <p>652 <span style="float: right;">comment by: <i>Aéroport de Marseille - MRS/LFML</i></span></p> <p>Attachment <a href="#">#15</a></p> <p><b>Objet</b><br/>Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |



## Références

- Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.
- Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aéroports.
- ADR.AR.A.005 (a) *Competent Authority*
- ADR.OR.B.005 (b) *Certification obligations of aerodromes, and aerodrome operators and providers of apron management services*
- ADR.OR.B.060 *Declaration of providers of apron management services*

## Commentaires

La NPA ne définit pas clairement si le prestataire de service de gestion d'aire de trafic est soumis à déclaration ou à certification.

Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aire de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.

En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aire de trafic.

Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aire de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " *Declaration of providers of apron management services* " concernent les prestataires de gestion d'aire de trafic soumis à déclaration.

response

Noted

Indeed, Article 8a.(e) of the Basic Regulation allows Member States to derogate from Article 8a.(d) and accept declarations from apron management service providers. Since this decision is the sole responsibility of the Member State, the Agency does not provide such criteria.

However, the Agency has developed the necessary Implementing Rules and the required AMC and GM for the certification or declaration of apron management service providers.

comment

657

comment by: Aéroport de Marseille - MRS/LFML

Attachment [#16](#)**Objet**

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

## Références

- ADR.AR.C035 (b)(1) et (d) *Issuance of certificates*
- ADR.OPS.D.001 *Provision of services*
- ADR.OPS.D.005 *Functions of a provider of apron management services*

**Commentaires**

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aéroports ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated



unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable", notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quels critères un service de gestion d'aire de trafic doit être fourni.

.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

response

*Noted*

Point 1

The provision of apron management services is not a requirement. However, there are several activities performed at an apron irrespective of the existence of a provider of apron management services. In order to provide clarity, requirements for aerodrome operators have been retained in Subpart D, while requirements for providers of apron management services, when established, have been moved into the new Subpart E.

Point 2

The proposed regulation does not limit the number of providers of apron management services at an aerodrome. The service, indeed, includes the minimum number of functions in order to be consistent with ICAO Annex 14.

Point 3

As stated in point 2, the Regulation defines the minimum number of functions. However, this does not prevent the inclusion of additional functions, depending on the agreement between the aerodrome operator and the provider of apron management services.



Point 4

Concerning the proportionality issues, the Regulation by itself does not oblige the aerodrome operator to establish an apron management unit, or employ a service provider for this task.

comment

658

comment by: *Aéroport de Marseille - MRS/LFML*

Attachment [#17](#)

**Objet**

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Références

- ADR.OPS.D.035 Management of vehicle movements
- ADR.OPS.D.040 Right of way in the apron
- ADR.OPS.D.045 Management of apron safety

Commentaires

Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aérodromes est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aérodrome les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).

Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).

Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurités sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées. En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.

De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

response

*Not accepted*

The responsibilities of the aerodrome operator have been established under the Basic Regulation. However, Recital (8) of this Regulation, as well as ADR.OPS.D.001 facilitate the allocation of tasks to other organisations.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p data-bbox="360 277 411 309">659</p> <p data-bbox="903 277 1485 309">comment by: <i>Aéroport de Marseille - MRS/LFML</i></p> <p data-bbox="360 333 560 365">Attachment <a href="#">#18</a></p> <p data-bbox="360 389 435 421"><b>Objet</b></p> <p data-bbox="360 427 1485 495">Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.</p> <p data-bbox="360 501 499 533">Références</p> <ul data-bbox="360 539 1485 786" style="list-style-type: none"> <li>• ADR.OPS.D.060 Aircraft parking <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)</li> </ul> </li> <li>• Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté</li> </ul> <p data-bbox="360 792 544 824">Commentaires</p> <p data-bbox="360 831 1485 1211">Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.</p> <p data-bbox="360 1218 1485 1352">Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.</p> <p data-bbox="360 1359 1485 1494">Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .</p> <p data-bbox="360 1500 916 1532">Exemples de fonctions qui posent problèmes :</p> <p data-bbox="360 1576 1485 1816">Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )<br/> Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))<br/> S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))<br/> S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))<br/> Formation des personnels ADR.OPS.D.085</p> |
| response | <p data-bbox="360 1845 523 1877"><i>Not accepted</i></p> <p data-bbox="360 1906 1485 2042">The proposed Regulation does not intend to change the allocation of the execution of tasks concerning Ground Handling. However, the aerodrome operator, being responsible for the operation of the aerodrome, including the apron, is obliged by the Basic Regulation to ensure the safe operation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |



comment

660

comment by: Aéroport de Marseille - MRS/LFML

Attachment [#19](#)**Objet**

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

## Références

- ADR.OR.D.018 Training and proficiency check programs - providers of apron management services
  - o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs
- ADR.OR.D.032 Safety reporting system - providers of apron management services
- ADR.OPS.D.001 Provision of services
  - o GM1 ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services
- ADR.OPS.D.060 Aircraft parking
  - o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

## Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "

*un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".*

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "*L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".*

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et



responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;

- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response

*Noted*

Please refer to the replies in the relevant sections.

comment

661

comment by: *Aéroport de Marseille - MRS/LFML*

Attachment [#20](#)

**Objet**



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>Application du certificat et fin des opérations.<br/>Références</p> <ul style="list-style-type: none"> <li>• ADR.OR.A.010 Competent Authority (b)</li> <li>• ADR.OR.B.020 Application for a certificate</li> <li>• ADR.OR.B.070 (b) Termination of operation - providers of apron management service</li> </ul> <p>Commentaires</p> <p>Selon l'ADR.OR.A.010 <i>Competent Authority (b)</i> nous comprenons que lorsqu'une entreprise se situe dans un pays et opère dans un autre pays, il est suffisant d'avoir un seul certificat ou d'être déclaré, et donc qu'un certificat par aérodrome n'est pas nécessaire</p> <p>De même, l'ADR.OR.B.020 (5) <i>Application for a certificate prévoit la nomination par le prestataire de service de gestion d'aire de trafic d'un accountable manager. Or celui-ci peut se trouver dans un autre pays que celui où est fournie la prestation de gestion d'aire de trafic, si celui-ci a été certifié dans un autre pays, nous pensons que la position de ce responsable ne conduit pas à avoir une vraie politique de développement de la sécurité.</i></p> <ul style="list-style-type: none"> <li>• Fin des opérations et validité du certificat :</li> </ul> <p>L'ADR.OR.B.070 (b)(1) <i>Termination of operation - providers of apron management service</i>, impose à l'exploitant d'aérodrome de veiller à la continuité du service et de s'assurer de la continuité de la gestion d'aire de trafic. Cette règle impose d'avoir une autre entité tierce certifiée pour palier la fin d'activité du prestataire sortant. Cette IR ne prévoit pas le cas où le service de gestion d'aire de trafic ne serait plus rendu, ce qui laisse sous-entendre que ce service serait obligatoire sur tous les aérodromes européens entrant dans le champ du règlement (CE) N°216/2008 (cf. fiche n°4). Il faut avoir prévu, comme dans l'IR ADR.OR.B.065 du règlement (UE) N°139/2014 le cas d'une fin de prestation du service.</p> <p>Proposition</p> <p>ADR.OR.B.070 (b) Termination of operation - providers of apron management service<br/>Supprimer b) 1 et b) 2)</p> |
| response | <p><i>Noted</i></p> <p>Please refer to the replies in the relevant sections.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| comment | <p>662</p> <p>comment by: <i>Aéroport de Marseille - MRS/LFML</i></p> <p>Attachment <a href="#">#21</a></p> <p><b>Objet</b></p> <p>Ediction de règles en matière de prévention sur la consommation d'alcool de substances psychoactives et de médicaments.</p> <p>Références</p> <ul style="list-style-type: none"> <li>• ADR.OR.C.045 Use of alcohol, psychoactive substance and medicines</li> </ul> <p>Commentaires</p> <p>Cette IR impose au prestataire de service de gestion d'aire de trafic de mettre en place pour son personnel les procédures établies par l'exploitant d'aérodrome en matière de consommation d'alcool, de substances psychoactives et de médicaments.</p> <p>Or, Les prescriptions en la matière relèvent clairement en France des autorités de police (préfet) et non de l'exploitant d'aérodrome.</p> <p>Par ailleurs, en France, en matière de droit du travail, l'article R. 4228-21 du code du travail dispose qu' "il est interdit de laisser entrer ou séjourner dans les lieux de travail des personnes en état d'ivresse". Pour sa part, la consommation de drogue fait l'objet d'une interdiction absolue (art. L. 3421-1 du code de la santé publique). De plus, chaque employeur prend des dispositions vis-à-vis de ses salariés dans le cadre du règlement intérieur pris en</p> |
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|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>application de l'article L. 6321-1 du code du travail.<br/>         Outre la question de la compétence de l'exploitant d'aérodrome quant à l'édiction de telles règles et à l'absence de prérogatives pour les faire respecter. Il conviendrait d'imposer directement cette obligation à tous les opérateurs voir à tous les personnels sur le modèle des dispositions régissant les contrôleurs aériens.<br/>         Proposition<br/>         Supprimer l' ADR.OR.C.045</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Noted</i></p> <p>Please refer to the replies in the relevant sections.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>663 <span style="float: right;">comment by: <i>Aéroport de Marseille - MRS/LFML</i></span></p> <p>Attachment <a href="#">#22</a></p> <p><b>Objet</b><br/>         Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.<br/>         Références</p> <ul style="list-style-type: none"> <li>• ADR.OR.D.005 (8) (9) Management system (training)             <ul style="list-style-type: none"> <li>o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services</li> </ul> </li> <li>• ADR.OPS.D.085 Training</li> </ul> <p>Commentaires<br/>         Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.<br/>         La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les société d'assistance en escale).<br/>         En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).<br/>         Enfin l'ADR.OPS.D.085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.</p> |
| response | <p><i>Noted</i></p> <p>Please refer to the replies in the relevant sections.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>664 <span style="float: right;">comment by: <i>Aéroport de Marseille - MRS/LFML</i></span></p> <p>Attachment <a href="#">#23</a></p> <p><b>Objet</b><br/>         Rôle de coordination dévolu à l'exploitant d'aérodrome<br/>         Références</p> <ul style="list-style-type: none"> <li>• ADR.OPS.D.015 Management. of aircraft movement on the apron</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



- o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION
  - ADR.OPS.D.025 Apron management boundaries.
  - ADR.OPS.D.030 Assignment of radio frequencies to apron management service
  - ADR.OPS.D.035 Management of vehicle movements
- o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES
- o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS
  - ADR.OPS.D.045 Management of apron safety
  - ADR.OPS.D.050 Aircraft stand allocation
  - ADR.OPS.D.060 Aircraft parking
  - ADR.OPS.D.065 Aircraft departure
  - ADR.OPS.D.085 Training

#### Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025 *Apron management boundaries* impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

#### Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>- ADR.OPS.D.025 Apron management boudaries : Remplacer « publish » par « provide »<br/> - ADR.OPS.D.030 Assignment of radio frequencies to apron management service : Supprimer l'IR</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Noted</i></p> <p>Please refer to the replies in the relevant sections.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>674 <span style="float: right;">comment by: ACA - Aéroports de la Côte d'Azur - NCE/LFMN</span></p> <p><b>Objet</b><br/> La terminologie « service de gestion d'aire de trafic ».<br/> Commentaires<br/> La terminologie de gestion d'aire de trafic <i>apron management service</i> ), bien que défini dans le règlement de base ((CE) n°216/2008) est utilisée abondamment dans le texte de la NPA et de manière si indifférenciée qu'elle prête à confusion. En effet, nous discernons à travers les différentes règles un mélange entre l'organisme gestionnaire, la fonction de gestion d'aire de trafic et le service offert. Or il a été employé dans tous les cas la terminologie « apron management service ».<br/> Ainsi, pour certaines règles, il s'agirait d'une entité à certifier et dans d'autres, il s'agirait d'une fonction qui pourrait être du ressort de l'exploitant d'aérodrome et qui serait alors à inclure dans le champ du certificat d'aérodrome.<br/> Propositions<br/> Nous proposons d'utiliser des terminologies différentes, selon que la règle concerne la fonction, le service offert ou l'organisme.<br/> - Dès qu'il s'agit du prestataire de gestion d'aire de trafic, utiliser: <i>apron management service unit</i> ou <i>apron service provider</i>.<br/> - Pour le service de gestion d'aire de trafic <i>apron management service</i>.<br/> - Pour la fonction gestion d'aire de trafic <i>apron management</i></p> <p><b>Courtesy translation</b><br/> Terminology<br/> Comments<br/> The terminology of apron management service, although defined in the basic regulation (UE) n°216 /2008) is abundantly used in the text of the NPA and in so undifferentiated that it is confusing. Indeed, we discern through all the rules a mixture between the apron management service provider, the function of apron management and the service offered. It was used in every case the terminology " apron management service ".</p> <p>Proposal<br/> We suggest to used different terminologie if the rule concerns the function, the offered service or the organization.<br/> - For an organization, use: apron service unit or apron service provider.<br/> - For a service: apron management service.<br/> - For the function: apron management</p> |
| response | <p><i>Accepted</i></p> <p>Indeed, there was a confusion between organisations, services and functions. In order to provide more clarity, responsibilities assigned to the aerodrome operator, irrespective of the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



existence of an apron management service provider have been retained in Subpart D, while responsibilities of a provider of apron management services have been moved into the new Subpart E.

comment

691

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#24](#)

Terminologie

Objet

La terminologie « service de gestion d'aire de trafic ».

Commentaires

La terminologie de gestion d'aire de trafic (apron management service), bien que défini dans le règlement de base ((CE) n°216/2008) est utilisée abondamment dans le texte de la NPA et de manière si indifférenciée qu'elle prête à confusion. En effet, nous discernons à travers les différentes règles un

mélange entre l'organisme gestionnaire, la fonction de gestion d'aire de trafic et le service offert. Or il a été employé dans tous les cas la terminologie « apron management service ».

Ainsi, pour certaines règles, il s'agirait d'une entité à certifier et dans d'autres, il s'agirait d'une fonction qui pourrait être du ressort de l'exploitant d'aérodrome et qui serait alors à inclure dans le champ du certificat d'aérodrome.

Propositions

Nous proposons d'utiliser des terminologies différentes, selon que la règle concerne la fonction, le service offert ou l'organisme.

- Dès qu'il s'agit du prestataire de gestion d'aire de trafic, utiliser: apron management service unit ou apron service provider.

- Pour le service de gestion d'aire de trafic: apron management service.

- Pour la fonction gestion d'aire de trafic : apron management

Courtesy translation

Terminology

Comments

The terminology of apron management service, although defined in the basic regulation (UE) n°216 /2008) is abundantly used in the text of the NPA and in so undifferentiated ways that it is confusing.

Indeed, we discern through all the rules a mixture between the apron management service provider, the function of apron management and the service offered.

It was used in every case the terminology " apron management service ".

Proposal

We suggest to use different terminologies if the rule concerns the function, the offered service or the organization.

- For an organization, use: apron service unit or apron service provider.

- For a service: apron management service.

- For the function: apron management

Charges financières

Objet

Conséquences financières pour des exploitants d'aérodromes.

Références

1 Regulatory Impact Assessment (RIA) § 2.3.4.4 Economic impact



## Commentaires

L'AESA considère par principe que les textes qu'elle prépare ne doivent pas générer de charges nouvelles pour les exploitants d'aérodromes. Or il apparaît qu'un certain nombre de mesures vont entraîner des charges financières importantes (notamment concernant la formation des personnels, la supervision et le contrôle des aéronefs et des véhicules sur l'aire de trafic) et que de sérieuses incertitudes pèsent sur leurs modalités de financement.

## Courtesy translation

## Economical impact

## Comments

EASA considers on principle that the texts prepared should not create new burdens for aerodrome operators because this function is already included in the certificate. But it appears that a number of measures will lead to significant financial burden (especially on staff training, supervision and control of aircraft and management of vehicles on the apron) and serious uncertainties about how it will be financed.

## Certification ou déclaration

## Objet

Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?

## Références

- ┆ Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.
- ┆ Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aérodromes.
- ┆ ADR.AR.A.005 (a) Competent Authority
- ┆ ADR.OR.B.005 (b) Certification obligations of aerodromes, and aerodrome operators and providers of apron management services
- ┆ ADR.OR.B.060 Declaration of providers of apron management services

## Commentaires

La NPA ne définit pas clairement si le prestataire de service de gestion d'aire de trafic est soumis à déclaration ou à certification.

Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aire de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.

En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aire de trafic.

Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aire de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " Declaration of providers of apron management services " concernent les prestataires de gestion d'aire de trafic soumis à déclaration.

En conclusion que faut-il faire ? :

Plusieurs questions se posent alors:

- 1 – La première, faut-il prévoir cette activité dans le certificat pour les exploitants remplissant cette fonction ?
- 2 – Si c'est un tiers, doit-il être certifié ou peut-il se déclarer ? Il appartient à l'autorité compétente de déterminer suivant les critères qu'elle fixe, l'application d'un certificat ou



d'une déclaration. Dans ce dernier cas il conviendrait de l'établir clairement dans le règlement.

Courtesy translation

Certification or declaration

Comments

NPA does not clearly define for the organization providing the apron management services, if it is subject to declaration or certification.

In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, that the apron management service (see Article 8 bis 2) e)) could make a declaration of its capacity and means.

In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration system.

On the other hand neither the Regulation (UE) N°139 / 2014, nor the project of regulation object of the present NPA fix criteria of distinction between regime of certification and declaration for the apron management service provider.

This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.

In summary what should be done?

Some questions request answers:

The first one: is it necessary to plan this activity in the certificate for operator performing this function?

If it is a third party, should it be certified or is a declaration enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation.

Champ d'application

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

┆ ADR.AR.C035 (b)(1) et (d) Issuance of certificates

┆ ADR.OPS.D.001 Provision of services

┆ ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car Il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.



- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir selon quels critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs)

(ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de soustraction.

3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicated so that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management on all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is

not a 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. "when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on which criteria an apron management unit should be implemented

2/ Can we have several apron management units on an aerodrome?

ADR.OPS.D005 lists the minimal functions to be included in the apron management service



ADR.OPS.D.015 Management of aircraft movement on the apron  
 ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron  
 ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D.015 ; ADR.OPS.D.020 ; ADR.OPS.D.035).

It is contradicted by ADR.AR.C035 ( b ) ( 1 ) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an apron management unit exist, it shall deal with a minimum :  
 ADR.OPS.D.015 Management of aircraft movement on the apron,  
 ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,  
 ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be added, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The need of commensurate measures with the size, the traffic, the category and the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if ADR.OPS.D.001 gives a flexibility as for the application of these rules, but without defining any criterion for its application.

Pouvoirs de police sur un aérodrome

Objet

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Références

- ┆ ADR.OPS.D.035 Management of vehicle movements
- ┆ ADR.OPS.D.040 Right of way in the apron
- ┆ ADR.OPS.D.045 Management of apron safety

Commentaires

Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aérodromes est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aérodrome les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).

Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA) fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).

Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurité sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées.

En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.



De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the

French Civil Aviation, takes the aerodrome measures to ensure public order , safety, security and salubrity, including provisions for " accessible parking and aircraft traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ) .

Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1).

These rules from European Aviation Safety Agency give new responsibilities to the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety)

But the present regulation can't give such power to aerodrome operators for all missions entrusted.

Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to public authorities, are not under AESA competence.

Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation.

The EASA rules for apron management services should be limited to the certification and to apron management oversight.

Articulation entre gestion d'aire de trafic et réglementation en matière d'assistance en escale

Objet

Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.

Références

┆ ADR.OPS.D.060 Aircraft parking

┆ ADR.OPS.D.085 Training

┆ ADR.OPS.D.065(a) Aircraft departure

o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS



o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)  
 i Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté

Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )

Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en œuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

#### Courtesy translation

Links between apron management services and regulations concerning ground handling

#### Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c)in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive



maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))
- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )
- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))
- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

Répartition des missions, responsabilités et principe de sécurité juridique

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

- ┆ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services
  - o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs
- ┆ ADR.OR.D.032 Safety reporting system - providers of apron management services
- ┆ ADR.OPS.D.001 Provision of services
  - o GM1 ADR.OPS.D.001 Provision of services
- ┆ ADR.OPS.D.005 Functions of a provider of apron management services
- ┆ ADR.OPS.D.060 Aircraft parking
  - o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ADR.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de



"décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables"

(CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

#### Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments



The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish

and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of

the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another



entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Application du certificat

Objet

Application du certificat et fin des opérations.

Références

┆ ADR.OR.A.010 Competent Authority (b)

┆ ADR.OR.B.020 Application for a certificate

┆ ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Commentaires

Selon l'ADR.OR.A.010 Competent Authority (b) nous comprenons que lorsqu'une entreprise se situe dans un pays et opère dans un autre pays, il est suffisant d'avoir un seul certificat ou d'être déclaré, et donc qu'un certificat par aérodrome n'est pas nécessaire

De même, l'ADR.OR.B.020 (5) Application for a certificate prévoit la nomination par le prestataire de service de gestion d'aire de trafic d'un accountable manager. Or celui-ci peut se trouver dans un autre pays que celui où est fournie la prestation de gestion d'aire de trafic, si celui-ci a été certifié dans un

autre pays, nous pensons que la position de ce responsable ne conduit pas à avoir une vraie politique de développement de la sécurité.

┆ Fin des opérations et validité du certificat :

L'ADR.OR.B.070 (b)(1) Termination of operation - providers of apron management service, impose à l'exploitant d'aérodrome de veiller à la continuité du service et de s'assurer de la continuité de la gestion d'aire de trafic. Cette règle impose d'avoir une autre entité tierce certifiée pour palier la fin d'activité du prestataire sortant. Cette IR ne prévoit pas le cas où le service de gestion d'aire de trafic ne serait plus rendu, ce qui laisse sous-entendre que ce service serait obligatoire sur tous les aérodromes européens entrant dans le champ du règlement (CE) N°216/2008 (cf. fiche n°4). Il faut prévoir, comme dans l'IR ADR.OR.B.065 du règlement (UE) N°139/2014 le cas d'une fin de prestation du service.

Proposition

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Supprimer b) 1 et b) 2)

Courtesy translation

Certificat implementation



## Comments

According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.

In this case, coordination between the competent authorities is not provided. We have doubts about the implementation of rules requiring coordination with competent authorities.

End of operations and the validity of the certificate:

ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to ensure the continuity of apron management services.

These rules oblige to have another third entity fully qualified to replace the termination of the previous company, in most cases, it will be the operator who will do this.

It is necessary to have the same writing as IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.

Proposal

ADR.OR.B.070 (b) Termination of operation - providers of apron management service  
Delete b) 1) and b) 2)

Prévention en matière de consommation d'alcool, de substances psychoactives et de médicaments

Objet

Edition de règles en matière de prévention sur la consommation d'alcool de substances psychoactives et de médicaments.

Références

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

Commentaires

Cette IR impose au prestataire de service de gestion d'aire de trafic de mettre en place pour son personnel les procédures établies par l'exploitant d'aérodrome en matière de consommation d'alcool, de substances psychoactives et de médicaments.

Or, Les prescriptions en la matière relèvent clairement en France des autorités de police (préfet) et non de l'exploitant d'aérodrome.

Par ailleurs, en France, en matière de droit du travail, l'article R. 4228-21 du code du travail dispose qu' "il est interdit de laisser entrer ou séjourner dans les lieux de travail des personnes en état d'ivresse".

Pour sa part, la consommation de drogue fait l'objet d'une interdiction absolue (art. L. 3421-1 du code de la santé publique). De plus, chaque employeur prend des dispositions vis-à-vis de ses salariés dans le cadre du règlement intérieur pris en application de l'article L. 6321-1 du code du travail.

Outre la question de la compétence de l'exploitant d'aérodrome quant à l'édition de telles règles et à l'absence de prérogatives pour les faire respecter. Il conviendrait d'imposer directement cette obligation à tous les opérateurs voire à tous les personnels sur le modèle des dispositions régissant les contrôleurs aériens.

Proposition

Supprimer l' ADR.OR.C.045

Courtesy translation

Use of alcohol, psychoactive substance and medicines

Comments

This implementing rule obliges apron management service to implement for his staff



procedures with regard to the consumption of alcohol, psychoactive substances and medicine.

But, the prescriptions concerning the use of alcohol, psychoactive substance and medicines are clearly under the authorities of police and not under operator scope.

However, regarding labour law, article R. 4228-21 of the labour French code arrange that «it is forbidden to let in or to stay in the workplaces of the people under the influence of drink ». For its part, the consumption of drug is the object of an absolute ban (art. L. 3421-1 of the public health code).

Furthermore, every employer takes measures towards his employees within the framework of the internal rules taken in application of the article L. 6321-1 of the labour code.

Besides the question of the skill of operator to write such rules and of the lack of power to enforce them, why do not impose directly this obligation to all the operators the model of measures taken by the French authority concerning air-traffic controllers?

Proposal

Delete ADR.OR.C.045

Formation du personnel

Objet

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

Références

┆ ADR.OR.D.005 (8) (9) Management system (training)

┆ ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services

o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services

┆ ADR.OPS.D.085 Training

Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les sociétés d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant

d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

Courtesy translation

Training

Comments

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and with which aerodrome operator has no contractual link (arrangement).



Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"

There is clearly an overlapping area between both training programs. Is it about the same training program?

Finally ADR.OPS.D.085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.

Coordination

Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

┆ ADR.OPS.D.015 Management. of aircraft movement on the apron

┆ ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron

o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron  
COORDINATION

┆ ADR.OPS.D.025 Apron management boundaries.

┆ ADR.OPS.D.030 Assignment of radio frequencies to apron management service

┆ ADR.OPS.D.035 Management of vehicle movements

o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION  
REQUIREMENTS

┆ ADR.OPS.D.045 Management of apron safety

┆ ADR.OPS.D.050 Aircraft stand allocation

┆ ADR.OPS.D.060 Aircraft parking

┆ ADR.OPS.D.065 Aircraft departure

┆ ADR.OPS.D.085 Training

Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron  
COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de



coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025 Apron management boundaries impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For example, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the apron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

ADR.OPS.D.020 and ADR.OPS.D.015, clearly gives the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025 Apron management boundaries oblige aerodrome operator to publish apron boundaries. In France, air information publication is under responsibility of the Air Information Service (SIA) who is in charge to publish all information in coordination with



aerodrome operator who is in charge to give information up to date.  
Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Noted*

Please refer to the replies on the specific articles.

comment

767

comment by: *IFATCA*

Attachment [#25](#)

IFATCA has some minor comments. IFATCA would have welcomed if medical requirements and professional requirements would have been formulated.

response

*Partially accepted*

The proposal to include medical and professional requirements for persons providing taxiing instruction to aircraft through R/T is **not accepted**, since there are not such requirements foreseen in the Basic Regulation.

The proposal to amend ADR.OPS.D.015 is **accepted**; however, the text has been slightly modified.

The proposal to amend ADR.OPS.D.070 is **partially accepted**. The text has been revised as follows:

'[...]between the apron management service unit and air traffic services unit for the delivery of start-up clearances, push-back clearances if required and taxi instructions to the agreed handover point(s).'

Start-up clearances are not always followed by push-back clearances.

Concerning the comment on GM2 ADR.OPS.D.001, it is **accepted**, and the text has been revised accordingly.

The comment on AMC1 ADR.OPS.D.010(a)(2);(b) is **noted**

comment

777

comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

Comments provided by ASSAEROPORTI (the Italian Airports Association) summarize the common point of view agreed by its members.



response *Noted*

comment 778 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*  
 EASA should clarify that only one certificate is needed if the aerodrome operator provides the apron management service at its aerodrome itself. A separate certificate for apron management services does not make any sense if the aerodrome operator already holds a certificate for aerodrome operations and apron management service as a part of its aerodrome manual

response *Accepted*

Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.

comment 779 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*  
 Throughout the entire text EASA should make sure that apron management service "functions", "systems" and "providers" are clearly distinguished and that the regulatory provisions clearly identify which of the three is meant.

response *Accepted*

The Agency, in order to make the allocation of responsibilities more clear, has distinguished the responsibilities of the aerodrome operator and the provider of apron management services. In the revised text, the requirements for the aerodrome operator are included in ADR.OPS.D, and the requirements for the provider of apron management services are included in ADR.OPS.E.

comment 780 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*  
 Replace "leader van" by "follow-me" or "follow-me-vehicle" throughout the text.

response *Accepted*

Although the official term used in ICAO Doc 9137 is 'leader van', the proposal to use the term 'follow-me' is accepted, in order to avoid confusion.

comment 781 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*  
 Apron complexity and traffic density indexes shall be defined in the rule as well.

response *Not accepted*

Both terms are not used in the Regulation, therefore, they cannot be defined there.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| comment  | <p>847 <span style="float: right;">comment by: ENAC Ente Nazionale per l'Aviazione Civile (Italia)</span></p> <p>According to EASA (Explanatory Note, par. 2.3.1.1), "<u>The establishment of a dedicated unit to provide apron management services at an apron is not a 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.</u>"; in fact the related provision in ICAO Annex 14 point 9.5.1 is a recommendation.</p> <p>Actually, there are no provisions in the proposed text that clearly state this position of the Agency or leave to the Member States the faculty to define the applicability of apron management service for the national aerodromes.</p> <p>In fact ADR.OPS.D.005 recites: "<u>When apron management services are provided, they shall include at least the functions required in ADR.OPS.D.015, ADR.OPS.D.020 ... ADR.OPS.D.035.</u>", and the factors to be considered in order to decide (traffic density, complexity of apron layout, visibility conditions are the relevant ones listed by ICAO) are not mentioned throughout the draft text.</p> <p>On the other hand, EASA states (Explanatory Note, par. 2.4 (d)) that "...the requirements included in EASA Opinion No 01/2013 do not contain specific requirements for apron management. The new Subpart D contains all these requirements for apron management and in that way completes the procedures required for aerodrome operation in total".</p> <p>Besides, GM text doesn't provide clarification to this concern when it is stated in GM1 ADR.OPS.D.001 "<u>The services included in Part D of this Annex need to be provided at an aerodrome...</u>" and in GM2 ADR.OPS.D.001 "<u>The following functions are considered essential to ensure the safety of aircraft operation on an apron</u>".</p> <p>So the questions are:</p> <ol style="list-style-type: none"> <li>1. How "functions" and "services" are related?</li> <li>2. What is meant for "apron management" and "apron management services"?</li> <li>3. Which of the requirement included in the new Subpart D have to be considered binding for al the aerodromes under the EASA scope?</li> </ol> |
| response | <p><b>Noted</b></p> <p>According to ICAO Annex 14, apron management is required to regulate the activities and movement of aircraft and vehicles on the apron. The apron management is an essential task at any aerodrome, irrespective of its size. However, depending on local conditions, such as traffic density, complexity of the apron layout and the visibility conditions under which the aerodrome operator plans to maintain operations, a decision could be taken to establish a dedicated unit to provide apron management. This unit is normally the apron management service. Following the consultation, it was decided to exclude the regulation of the vehicle movement at the apron from the scope of the apron management because, under Regulation (EU) No 139/2014, it is the responsibility of the aerodrome operator. In order to provide more clarity, the requirements for the apron management service providers have been moved to the new Subpart E, while the responsibilities of the aerodrome operator have been retained in Subpart D. These responsibilities are applicable, irrespective of the existence of an apron management service provider.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>848 <span style="float: right;">comment by: ENAC Ente Nazionale per l'Aviazione Civile (Italia)</span></p> <p>Up to now in the ADR regulation the "leader van" vehicles are not mentioned; when necessary, "follow-me" or follow-me vehicle" is used (Decision 2014-012: AMC3 ADR.OR.E.005 Part E point 14.4, AMC1 ADR.OPS.B.080(e)).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |



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| response | <p>In order to ensure consistency throughout the regulatory text, replace "leader van" with "follow-me" in ADR.OPS.D.085(c), AMC1 ADR.OPS.D.015(b), AMC1 ADR.OPS.D.020(b), AMC1 ADR.OPS.D.050(c) and AMC4 ADR.OPS.D.085(a).</p> <p><i>Accepted</i></p> <p>Although the official term used in ICAO Doc 9137 is 'leader van', the proposal to use the term 'follow-me' is accepted, in order to avoid confusion.</p>                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>864 <span style="float: right;">comment by: <i>Airport Zurich</i></span></p> <p><b>Comment:</b><br/>Certification - EASA should clarify, that a double certificate isn't needed if the aerodrome operator provides the apron management service at its aerodrome.</p> <p><b>Justification:</b><br/>No sense, if the aerodrome operator holds a certificate for its aerodrome operations and apron management service as a part of its aerodrome manual.</p> <p><u>Comment by:</u> ZRH/OF</p>                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Accepted</i></p> <p>Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.</p> |
| comment  | <p>893 <span style="float: right;">comment by: <i>ADP : Aeroports de Paris</i></span></p> <p>ADP (Aéroports de Paris) fully support the comments and justification as submitted by ACI Europe. In addition to those, ADP has submitted his own comments, more specifically for the Paris airports.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>894 <span style="float: right;">comment by: <i>ADP : Aeroports de Paris</i></span></p> <p>1. ADP would like to specially emphasized the ACI-E comment "Throughout the entire text EASA should make sure that apron management service "functions", "systems" and "providers" are clearly distinguished and that the regulatory provisions clearly identify which of the three is meant." We think that this actual lack of distinction creates many</p>                                                                                                                                                                                                                                                                                                                                                            |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|          | misunderstandings or wrong interpretations of the text.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Accepted</i></p> <p>The Agency, in order to make the allocation of responsibilities more clear, has distinguished the responsibilities of the aerodrome operator and the provider of apron management services. In the revised text, the requirements for the aerodrome operator are included in ADR.OPS.D, and the requirements for the provider of apron management services are included in ADR.OPS.E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>896 <span style="float: right;">comment by: <i>ADP : Aeroports de Paris</i></span></p> <p>1. References:</p> <ul style="list-style-type: none"> <li>o ADR.OPS.D.060 Aircraft parking</li> <li>o ADR.OPS.D.085 Training</li> <li>o ADR.OPS.D.065(a) Aircraft departure <ul style="list-style-type: none"> <li>▪ AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS</li> <li>▪ AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)</li> </ul> </li> </ul> <p>Comments : On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), it is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.</p> <p>The implementing rules proposed by EASA should respect the legal order of the European Union and cannot modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.</p> <p>The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.</p> <p>Example of functions which raise issues</p> <ul style="list-style-type: none"> <li>- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))</li> <li>- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )</li> <li>- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))</li> <li>- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))</li> </ul> |
| response | <p><i>Not accepted</i></p> <p>The proposed Regulation does not intend to change the allocation of the execution of tasks concerning Ground Handling. However, the aerodrome operator, being responsible for the operation of the aerodrome, including the apron, is obliged by the Basic Regulation to ensure the safe operation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>897 <span style="float: right;">comment by: <i>ADP : Aeroports de Paris</i></span></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |



## 1. References:

- o ADR.OR.D.018 Training and proficiency check programs - providers of apron management services
  - AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs
- o ADR.OR.D.032 Safety reporting system - providers of apron management services
- o ADR.OPS.D.001 Provision of services
  - GM1 ADR.OPS.D.001 Provision of services
- o ADR.OPS.D.005 Functions of a provider of apron management services
- o ADR.OPS.D.060 Aircraft parking
  - AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
  - AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Comments: The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ADR.OPS.D.001 and the GM1. ADR.OPS.D.001 specifies that even if the is performance by a third party, the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, some missions are entrusted to two entities without establishing clearly the limits of the missions of each party. For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ". ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training program for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training program for personnel involved in the operation, maintenance and management of the aerodrome".

The GM1. ADR.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

"The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal:

ADR.OPS.D.001 : We suggest to precise the content of ADR.OPS.D.001 (in accordance with the



related GM1 ADR.OPS.D.001) as follow :

“The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliance by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3): Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety : Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response

*Noted*

Please refer to the replies in the relevant sections.

comment

900

comment by: *ADP : Aeroports de Paris*

1. References:

o ADR.OR.A.010 Competent Authority (b)

o ADR.OR.B.020 Application for a certificate

o ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Comments:

According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.

In this case, the coordination between the competent authorities is not provided. We have doubts about the implementation of rules which requires coordination with competent authorities.

End of operations and the validity of the certificate:

ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to make sure the continuity of apron management services. These rules oblige to have another third entity and fully qualified to replace the termination of the previous company, in most of the cases, it will be the operator who will do this.

It is necessary to have the same writing as the IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.

Proposal:

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Delete b) 1) and b) 2)



response

*Noted*

Please refer to the replies in the relevant sections.

comment

903

comment by: ADP : Aeroports de Paris

1. References:

- o ADR.OR.D.005 (8) (9) Management system (training)
- o ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services
  - AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services
- o ADR.OPS.D.085 Training

Comments:

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and with which aerodrome operator have no contractual link (arrangement).

Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"

There is clearly an overlapping area between both training programs. Is it about the same training program?

Finally the ADR.OPS.D.085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.

response

*Noted*

Please refer to the replies in the relevant sections.

comment

904

comment by: ADP : Aeroports de Paris

1. References:

- o ADR.OPS.D.015 Management. of aircraft movement on the apron
- o ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron
  - AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION
- o ADR.OPS.D.025 Apron management boundaries.
- o ADR.OPS.D.030 Assignment of radio frequencies to apron management service
- o ADR.OPS.D.035 Management of vehicle movements
  - AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES
  - AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS
- o ADR.OPS.D.045 Management of apron safety
- o ADR.OPS.D.050 Aircraft stand allocation
- o ADR.OPS.D.060 Aircraft parking
- o ADR.OPS.D.065 Aircraft departure
- o ADR.OPS.D.085 Training



**Comments:**

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the apron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define an internal state rule (ie Air Rules).

ADR.OPS.D.025 Apron management boundaries oblige aerodrome operator to publish de apron boundaries. In France, aeronautical information publication is under responsibility of the Aeronautical Information Service (SIA) who is in charge to publish all information in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

**Proposal**

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Replace « publish » with « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Noted*

Please refer to the replies in the relevant sections.

comment

940

comment by: *Airport Zurich***Comment:**

Replace "leader van" by "follow-me" or "follow-me-vehicle" throughout the text.

**Justification:**

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>---</p> <p><u>Comment by:</u> ZRH/OF</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| response | <p><i>Accepted</i></p> <p>Although the official term used in ICAO Doc 9137 is 'leader van', the proposal to use the term 'follow-me' is accepted, in order to avoid confusion.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>953 <span style="float: right;">comment by: <i>IDRF e.V. (association of regional airports)</i></span></p> <p>Overall a proportionate regulation.</p> <p>Several questions were answered by EASA-staff during a joint meeting with ACI Europe end of February 2014. ERAC agree with the comments of ACI Europe. Nevertheless we request to clarify by a note within the IR/AMC or by means of GM the following points:</p> <ol style="list-style-type: none"> <li>1. If the already certified aerodrome-operator provides apron management an additional certificate is not necessary.</li> <li>2. It is the decision of the member state to accept self-declaration instead requiring a complete certification process.</li> <li>3. There is no starting point or limite to establish apron management services (AMS) as described within the provisions; AMS is not mandatory, it is voluntary and a decision of the aerodrome operator to establish one.</li> </ol> <p>Furthermore we request to clarify that refuelling services are explicitly out of the scope of ADR/AMS-regulations.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Noted</i></p> <ol style="list-style-type: none"> <li>1. Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.</li> <li>2. Article 8a.(e) of the Basic Regulation allows Member States to derogate from Article 8a.(d) and accept declarations from apron management service providers. Since this decision is the sole responsibility of the Member State, the Agency does not provide such criteria. However, the Agency has developed the necessary Implementing Rules and the required AMC and GM for the certification or declaration of apron management service providers.</li> <li>3. The decision whether or not to establish an AMS unit is based on various factors, such as apron complexity, traffic density, weather conditions, etc. therefore, it is not considered</li> </ol> |



appropriate for the Agency to mandate the establishment of such a unit.

Concerning the refuelling services, it is an operation performed on an apron and some safety precaution should be taken. Regulation (EU) No 965/2012 and ED Decision 2014/017/R establish the air operator's requirements during refuelling, however, the aerodrome operator has to consider some safety measures around the aircraft during refuelling. This is the reason that refuelling operations have been included in Annex 14 chapter 9 and in Doc 9137 Part 8.

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>986</p> <p>comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i></p> <p>Apron management services at aerodromes can be provided by the aerodrome operator, by the air traffic services, by a combination of these two, or by an independent third party (Explanatory Note, par. 2.3.1.1).</p> <p>According to EASA, when the apron management services is provided by the aerodrome operator and by the air traffic services provider (ensuring aircraft guidance within the apron), they are not expected to have a significant impact since the requirements are similar and considered to be covered under their respective certificate (Explanatory Note, par. 2.3.4.2). This Agency position/option is not clearly reflected in the proposed set of rules regarding the issuance of certificates.</p> <p>Is it possible to provide clarification at least in appropriate GM?</p> |
| response | <p><i>Accepted</i></p> <p>Clarifications have been provided throughout the text, in order to avoid duplication of efforts by the aerodrome operator or the air traffic services provider in case they provide the service.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | <p>988</p> <p>comment by: <i>Turin Airport - TRN/LIMF</i></p> <p>SAGAT Turin Airport fully supports ACI EUROPE and Assaeroporti comments because of it worked directly inside the taskforce created for this subject.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>989</p> <p>comment by: <i>Turin Airport - TRN/LIMF</i></p> <p>EASA should clarify that only one certificate is needed if the aerodrome operator provides the apron management service at its aerodrome itself. A separate certificate for apron management services does not make any sense if the aerodrome operator already holds a certificate for aerodrome operations and apron management service as a part of its aerodrome manual</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Accepted</i></p> <p>Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following</p>                                                                                                                                                                                                        |



the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.

comment 990 comment by: *Turin Airport - TRN/LIMF*

Throughout the entire text EASA should make sure that apron management service "functions", "systems" and "providers" are clearly distinguished and that the regulatory provisions clearly identify which of the three is meant.

response *Accepted*

The Agency, in order to make the allocation of responsibilities more clear, has distinguished the responsibilities of the aerodrome operator and the provider of apron management services. In the revised text, the requirements for the aerodrome operator are included in ADR.OPS.D, and the requirements for the provider of apron management services are included in ADR.OPS.E.

comment 991 comment by: *Turin Airport - TRN/LIMF*

Replace "leader van" by "follow-me" or "follow-me-vehicle" throughout the text.

response *Accepted*

Although the official term used in ICAO Doc 9137 is 'leader van', the proposal to use the term 'follow-me' is accepted, in order to avoid confusion.

comment 992 comment by: *Turin Airport - TRN/LIMF*

Apron complexity and traffic density indexes shall be defined in the rule as well.

response *Not accepted*

Both terms are not used in the Regulation, therefore, they cannot be defined there.

#### Applicability — Process map

p. 1

comment 497 comment by: *Belgian CAA*

Is it realistic to have the publication of the opinion already in Q2?

response *Noted*

#### Notice of Proposed Amendment 2013-24 — Requirements for apron management services at aerodromes

p. 1

comment 711 comment by: *Euroairport Bâle-Mulhouse*

Attachment [#26](#)

Please find comments of Basel Mulhouse Airport.



Best Regards

Terminologie

Objet

La terminologie « service de gestion d'aire de trafic ».

Commentaires

La terminologie de gestion d'aire de trafic (apron management service), bien que défini dans le règlement de base ((CE) n°216/2008) est utilisée abondamment dans le texte de la NPA et de manière si indifférenciée qu'elle prête à confusion. En effet, nous discernons à travers les différentes règles un

mélange entre l'organisme gestionnaire, la fonction de gestion d'aire de trafic et le service offert. Or il a été employé dans tous les cas la terminologie « apron management service ».

Ainsi, pour certaines règles, il s'agirait d'une entité à certifier et dans d'autres, il s'agirait d'une fonction qui pourrait être du ressort de l'exploitant d'aérodrome et qui serait alors à inclure dans le champ du certificat d'aérodrome.

Propositions

Nous proposons d'utiliser des terminologies différentes, selon que la règle concerne la fonction, le service offert ou l'organisme.

- Dès qu'il s'agit du prestataire de gestion d'aire de trafic, utiliser: apron management service unit ou apron service provider.

- Pour le service de gestion d'aire de trafic: apron management service.

- Pour la fonction gestion d'aire de trafic : apron management

Courtesy translation

Terminology

Comments

The terminology of apron management service, although defined in the basic regulation (UE) n°216 /2008) is abundantly used in the text of the NPA and in so undifferentiated ways that it is confusing.

Indeed, we discern through all the rules a mixture between the apron management service provider, the function of apron management and the service offered.

It was used in every case the terminology " apron management service ".

Proposal

We suggest to use different terminologies if the rule concerns the function, the offered service or the organization.

- For an organization, use: apron service unit or apron service provider.

- For a service: apron management service.

- For the function: apron management

Charges financières

Objet

Conséquences financières pour des exploitants d'aérodromes.

Références

Regulatory Impact Assessment (RIA) § 2.3.4.4 Economic impact

Commentaires

L'AESA considère par principe que les textes qu'elle prépare ne doivent pas générer de charges nouvelles pour les exploitants d'aérodromes. Or il apparaît qu'un certain nombre de mesures vont entraîner des charges financières importantes (notamment concernant la formation des personnels, la supervision et le contrôle des aéronefs et des véhicules sur l'aire de trafic) et que de sérieuses incertitudes pèsent sur leurs modalités de financement.



Courtesy translation

Economical impact

Comments

EASA considers on principle that the texts prepared should not create new burdens for aerodrome operators because this function is already included in the certificate. But it appears that a number of measures will lead to significant financial burden (especially on staff training, supervision and control of aircraft and management of vehicles on the apron) and serious uncertainties about how it will be financed.

Certification ou déclaration

Objet

Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?

Références

┆ Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.

┆ Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aéroports.

┆ ADR.AR.A.005 (a) Competent Authority

┆ ADR.OR.B.005 (b) Certification obligations of aerodromes, and aerodrome operators and providers of apron management services

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

Commentaires

La NPA ne définit pas clairement si le prestataire de service de gestion d'aire de trafic est soumis à déclaration ou à certification.

Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aire de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.

En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aire de trafic.

Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aire de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " Declaration of providers of apron management services " concernent les prestataires de gestion d'aire de trafic soumis à déclaration.

En conclusion que faut-il faire ? :

Plusieurs questions se posent alors:

1 – La première, faut-il prévoir cette activité dans le certificat pour les exploitants remplissant cette fonction ?

2 – Si c'est un tiers, doit-il être certifié ou peut-il se déclarer ? Il appartient à l'autorité compétente de déterminer suivant les critères qu'elle fixe, l'application d'un certificat ou d'une déclaration. Dans ce dernier cas il conviendrait de l'établir clairement dans le règlement.

Courtesy translation

Certification or declaration

Comments



NPA does not clearly define for the organization providing the apron management services, if it is subject to declaration or certification.

In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, that the apron management service (see Article 8 bis 2) e)) could make a declaration of its capacity and means.

In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration system.

On the other hand neither the Regulation (UE) N°139 / 2014, nor the project of regulation object of the present NPA fix criteria of distinction between regime of certification and declaration for the apron management service provider.

This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.

In summary what should be done?

Some questions request answers:

The first one: is it necessary to plan this activity in the certificate for operator performing) this function?

If it is a third party, should it be certified or is a declaration enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation.

Champ d'application

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

┆ ADR.AR.C035 (b)(1) et (d) Issuance of certificates

┆ ADR.OPS.D.001 Provision of services

┆ ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car Il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)

- ADR.OR.C.030 Occurrence reporting (c)

- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services

- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)

- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)



- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir selon quels critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de soustraction.

3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicated so that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management on all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is

not a 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. "when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on which criteria an apron management unit should be implemented

2/ Can we have several apron management units on an aerodrome?

ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by ADR.AR.C035 ( b ) (1) and ( d ) which leaves the possibility of having



several certificates.

3/ We also understand that if an apron management unit exist, it shall deal with a minimum :  
ADR.OPS.D.015 Management of aircraft movement on the apron,  
ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,  
ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be added, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The need of commensurate measures with the size, the traffic, the category and the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if ADR.OPS.D001 gives a flexibility as for the application of these rules, but without defining any criterion for its application.

Pouvoirs de police sur un aérodrome

Objet

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Références

- ┆ ADR.OPS.D.035 Management of vehicle movements
- ┆ ADR.OPS.D.040 Right of way in the apron
- ┆ ADR.OPS.D.045 Management of apron safety

Commentaires

Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aérodromes est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aérodrome les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).

Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).

Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurité sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées.

En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.

De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de



trafic.

Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the

French Civil Aviation, takes the aerodrome measures to ensure public order , safety, security and salubrity, including provisions for " accessible parking and aircraft traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ) .

Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1).

These rules from European Aviation Safety Agency give new responsibilities to the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety)

But the present regulation can't give such power to aerodrome operators for all missions entrusted.

Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to public authorities, are not under AESA competence.

Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation.

The EASA rules for apron management services should be limited to the certification and to apron management oversight.

Articulation entre gestion d'aire de trafic et règlementation en matière d'assistance en escale

Objet

Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la règlementation en matière d'assistance en escale.

Références

┆ ADR.OPS.D.060 Aircraft parking

┆ ADR.OPS.D.085 Training

┆ ADR.OPS.D.065(a) Aircraft departure

o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)

┆ Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté

Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des



personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confié à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c )

Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en œuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

#### Courtesy translation

Links between apron management services and regulations concerning ground handling

#### Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))

- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )



- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))
- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

Répartition des missions, responsabilités et principe de sécurité juridique

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

- ┆ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services
  - o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs
- ┆ ADR.OR.D.032 Safety reporting system - providers of apron management services
- ┆ ADR.OPS.D.001 Provision of services
  - o GM1 ADR.OPS.D.001 Provision of services
- ┆ ADR.OPS.D.005 Functions of a provider of apron management services
- ┆ ADR.OPS.D.060 Aircraft parking
  - o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ADR.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec



l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables"

(CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services



responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of

the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)



Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Application du certificat

Objet

Application du certificat et fin des opérations.

Références

┆ ADR.OR.A.010 Competent Authority (b)

┆ ADR.OR.B.020 Application for a certificate

┆ ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Commentaires

Selon l'ADR.OR.A.010 Competent Authority (b) nous comprenons que lorsqu'une entreprise se situe dans un pays et opère dans un autre pays, il est suffisant d'avoir un seul certificat ou d'être déclaré, et donc qu'un certificat par aéroport n'est pas nécessaire

De même, l'ADR.OR.B.020 (5) Application for a certificate prévoit la nomination par le prestataire de service de gestion d'aire de trafic d'un accountable manager. Or celui-ci peut se trouver dans un autre pays que celui où est fournie la prestation de gestion d'aire de trafic, si celui-ci a été certifié dans un

autre pays, nous pensons que la position de ce responsable ne conduit pas à avoir une vraie politique de développement de la sécurité.

┆ Fin des opérations et validité du certificat :

L'ADR.OR.B.070 (b)(1) Termination of operation - providers of apron management service, impose à l'exploitant d'aéroport de veiller à la continuité du service et de s'assurer de la continuité de la gestion d'aire de trafic. Cette règle impose d'avoir une autre entité tierce certifiée pour palier la fin d'activité du prestataire sortant. Cette IR ne prévoit pas le cas où le service de gestion d'aire de trafic ne serait plus rendu, ce qui laisse sous-entendre que ce service serait obligatoire sur tous les aéroports européens entrant dans le champ du règlement (CE) N°216/2008 (cf. fiche n°4). Il faut prévoir, comme dans l'IR ADR.OR.B.065 du règlement (UE) N°139/2014 le cas d'une fin de prestation du service.

Proposition

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Supprimer b) 1 et b) 2)

Courtesy translation

Certificat implementation

Comments

According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.

In this case, coordination between the competent authorities is not provided. We have doubts about the implementation of rules requiring coordination with competent



authorities.

┆ End of operations and the validity of the certificate:

ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to ensure the continuity of apron management services.

These rules oblige to have another third entity fully qualified to replace the termination of the previous company, in most cases, it will be the operator who will do this.

It is necessary to have the same writing as IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.

Proposal

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Delete b) 1) and b) 2)

Prévention en matière de consommation d'alcool, de substances psychoactives et de médicaments

Objet

Ediction de règles en matière de prévention sur la consommation d'alcool de substances psychoactives et de médicaments.

Références

┆ ADR.OR.C.045 Use of alcohol, psychoactive substance and medicines

Commentaires

Cette IR impose au prestataire de service de gestion d'aire de trafic de mettre en place pour son personnel les procédures établies par l'exploitant d'aérodrome en matière de consommation d'alcool, de substances psychoactives et de médicaments.

Or, Les prescriptions en la matière relèvent clairement en France des autorités de police (préfet) et non de l'exploitant d'aérodrome.

Par ailleurs, en France, en matière de droit du travail, l'article R. 4228-21 du code du travail dispose qu' "il est interdit de laisser entrer ou séjourner dans les lieux de travail des personnes en état d'ivresse".

Pour sa part, la consommation de drogue fait l'objet d'une interdiction absolue (art. L. 3421-1 du code de la santé publique). De plus, chaque employeur prend des dispositions vis-à-vis de ses salariés dans le cadre du règlement intérieur pris en application de l'article L. 6321-1 du code du travail.

Outre la question de la compétence de l'exploitant d'aérodrome quant à l'édiction de telles règles et à l'absence de prérogatives pour les faire respecter. Il conviendrait d'imposer directement cette obligation à tous les opérateurs voire à tous les personnels sur le modèle des dispositions régissant les contrôleurs aériens.

Proposition

Supprimer l' ADR.OR.C.045

Courtesy translation

Use of alcohol, psychoactive substance and medicines

Comments

This implementing rule obliges apron management service to implement for his staff procedures with regard to the consumption of alcohol, psychoactive substances and medicine.

But, the prescriptions concerning the use of alcohol, psychoactive substance and medicines are clearly under the authorities of police and not under operator scope.

However, regarding labour law, article R. 4228-21 of the labour French code arrange that «it is forbidden to let in or to stay in the workplaces of the people under the influence of drink ».



For its part, the consumption of drug is the object of an absolute ban (art. L. 3421-1 of the public health code).

Furthermore, every employer takes measures towards his employees within the framework of the internal rules taken in application of the article L. 6321-1 of the labour code.

Besides the question of the skill of operator to write such rules and of the lack of power to enforce them, why do not impose directly this obligation to all the operators the model of measures taken by the French authority concerning air-traffic controllers?

Proposal

Delete ADR.OR.C.045

Formation du personnel

Objet

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

Références

┆ ADR.OR.D.005 (8) (9) Management system (training)

┆ ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services

o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services

┆ ADR.OPS.D.085 Training

Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les sociétés d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant

d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D.085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

Courtesy translation

Training

Comments

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and with which aerodrome operator has no contractual link (arrangement).

Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"



There is clearly an overlapping area between both training programs. Is it about the same training program?

Finally ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.

#### Coordination

##### Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

##### Références

- | ADR.OPS.D.015 Management. of aircraft movement on the apron
- | ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron
  - o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION
- | ADR.OPS.D.025 Apron management boundaries.
- | ADR.OPS.D.030 Assignment of radio frequencies to apron management service
- | ADR.OPS.D.035 Management of vehicle movements
  - o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES
  - o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS
- | ADR.OPS.D.045 Management of apron safety
- | ADR.OPS.D.050 Aircraft stand allocation
- | ADR.OPS.D.060 Aircraft parking
- | ADR.OPS.D.065 Aircraft departure
- | ADR.OPS.D.085 Training

##### Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025 Apron management boundaries impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service,



donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For example, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the apron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

ADR.OPS.D.020 and ADR.OPS.D.015, clearly gives the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025 Apron management boundaries oblige aerodrome operator to publish apron boundaries. In France, air information publication is under responsibility of the Air Information Service (SIA) who is in charge to publish all information in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.</p> <p>Proposal</p> <p>Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).</p> <ul style="list-style-type: none"> <li>- ADR.OPS.D.025 Apron management boundaries</li> </ul> <p>Remplace « publish » par « provide »</p> <ul style="list-style-type: none"> <li>- ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> </ul> <p>Delete this rule</p> |
| response | <p><i>Noted</i></p> <p>Please refer to the replies in the relevant sections.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

**Executive Summary**

p. 1

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>147</p> <p>comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></p> <p>Abbreviations for the following comments:<br/>AMSP - Apron Management Service Provider</p>                                                                                                                                                                                                                                                                                              |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>312</p> <p>comment by: <i>NATS National Air Traffic Services Limited</i></p> <p>NATS notes the content of this NPA. We are satisfied that any operational requirements placed upon the ANSP are already met by their inclusion in the appropriate UK ATM procedures manual. However, we will need to seek further clarification around whether any ANSP responsibilities in the UK, requires NATS Services Limited (the Division with airport ATM responsibilities) to hold a separate certificate with regards to Apron management.</p>               |
| response | <p><i>Accepted</i></p> <p>There is no requirement for the air traffic services provider to have a separate certificate when they provide apron management services. In order to clarify the issue, a new point (j) has been included in ADR.AR.C.035 in order to allow Competent Authorities to accept certified providers of air traffic services to provide apron management services when they demonstrate to the satisfaction of the Competent Authority that their operations manual is aligned with the aerodrome manual of the host aerodrome.</p> |
| comment  | <p>530</p> <p>comment by: <i>Swedish Transport Agency</i></p> <p>The phrase air navigation service provider is used in the last part. This should be air traffic service provider.</p>                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

**2. Explanatory Note — 2.2. Objectives**

p. 5



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                             |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| comment  | 514                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>BAA Airside operations</i>   |
|          | <p>Explanatory Note 2.2 Objectives<br/>         "Aircraft taxiing guidance" is done in the UK by the ANSP. This is not within the responsibility of the aerodrome operator so does this aspect of AMS mean that ANSPs need Certifying as an AMS provider?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                             |
| response | <p><i>Accepted</i></p> <p>There is no requirement to certify an ATS provider as an AMS provider when they provide aircraft taxiing guidance. Certified Air Traffic Services Providers are considered to fulfil the requirements, provided that their operations manual is adapted to include aircraft taxiing guidance on the apron (refer to point (j) in ADR.AR.C.035)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                             |
| comment  | 531                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>Swedish Transport Agency</i> |
|          | <p>Point 2.2, first and second dot. Here is the phrase air traffic control services used. The phrase should be air traffic service unit, is not limited to ATCS.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                             |
| response | <p><i>Accepted</i></p> <p>The text has been changed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                             |
| comment  | 672                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>NAVIAIR</i>                  |
|          | <p><b>ThThe definition of "Apron Management Service" needs to be more clear and precise.</b><br/>         The definition in (216/2008) page 5:</p> <p>"AMS means a service provided to manage the activities and the movement of aircraft and vehicles on an apron".</p> <p>This is not precise enough to identify what kind of service that is covered by the regulation, In the list of operational requirements and processes for the provision of apron management service, a number of bullets is mentioned that, in Naviair opinion, is perceived as imprecise and leaves a level of uncertainty that seems incoherent. Since the regulation prepares the ground for defined requirements of AMS, it is important that the definition is clear and precise and the distinction as well as connection with other services (e.g. ground management and Tower) is clear and defined.</p> <ul style="list-style-type: none"> <li>· <b>The regulation does not include how an Airport without a dedicated AMS unit shall deliver AMS service.</b></li> </ul> <p>Several airports does not have a distinct AMS unit or service but considers this as a part of ATS – mainly due to size/number of operations not requiring a dedicated AMS. It should be possible for airports without need, to continue to perform such service combined with other services (e.g. ATS). If AMS is part of local ATS, AMS requirements could be part of such in order not to overregulate.</p> <ul style="list-style-type: none"> <li>· <b>The regulation does not clearly state when an Airport shall establish a separate AMS service.</b></li> </ul> <p>Except for a vague description on NPA page 6, regarding the conditions based on "traffic density, complexity of apron, visibility conditions etc." the regulation does not clearly define when such separate service shall apply. It would be beneficial to include recommendations regarding airports at a given size (e.g. Number of operations) could establish a separate service like the described guidelines for establishment of ATS or AFIS.</p> |                                             |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>· It should be clarified when an airport can chose between “Certification” and “Declaration” of AMS including consequence for means of compliance for both.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Noted</i></p> <p>The definition of apron management service has been established under the Basic Regulation, therefore, it cannot be changed.</p> <p>The proposed Regulation has been redrafted and the responsibilities of the aerodrome operator concerning the operation of apron, irrespective of the existence of a dedicated provider of apron management service, have been retained in Subpart D, while the responsibilities of the provider of apron management services have been included in the new Subpart E</p> <p>The Regulation does not specify when a dedicated apron management unit should be provided, because the decision is mainly based on local operational requirements. The Agency has proposed some criteria that could be used.</p> <p>Concerning the certification or declaration, this is the responsibility of the Member State.</p> |

**2. Explanatory Note — 2.3. Summary of the RIA — 2.3.1. Issues to be addressed — 2.3.1.1 General**

p. 6

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>462 <span style="float: right;">comment by: DGAC France</span></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|          | <p><b>Non-duplication of tools in case the AMS provider is also the aerodrome operator</b><br/> <b>Level 2 – Suggestion for clarification</b></p> <p>This comment is related to Annex III - Part OR in general.</p> <p>The requirements applying to an AMS provider are very similar to the requirements applying to aerodrome operators, namely in terms of management system, safety reporting system, operations/aerodrome manual, etc.</p> <p><u>In case the AMS provider is also the aerodrome operator</u>, we understand implicitly that the aerodrome operator will not duplicate tools to have two management systems, or two safety reporting systems, or two separate manuals... Instead, the management system will handle both AMS and aerodrome operations, so will the safety reporting system, and the aerodrome manual will contain the operations manual. As regards the issuance of certificates, it should be possible to issue a single certificate covering both parts of activities, instead of two separate certificates, one for the aerodrome operation and one for the provision of AMS.</p> <p>This non-duplication principle may appear as obvious, but should however be clarified to become more explicit in the NPA. In particular, the “model for the certificate” should be completed to include the case where a single certificate is issued for both the aerodrome operation and the provision of AMS.</p> |
| response | <p><i>Accepted</i></p> <p>Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.

Throughout the proposed rules, it has been explicitly mentioned that if the service is provided by the aerodrome operator, the provision of apron management service can be integrated into the management system, manuals, etc. of the aerodrome operator.

**2. Explanatory Note — 2.3. Summary of the RIA — 2.3.1. Issues to be addressed — 2.3.1.2 Safety risk assessment**

p. 6

comment

401

comment by: DGAC France

**Safety risk assessment**

**Level 1 - Fundamental comment**

While the Basic regulation gives a definition of “apron management service” (cf article 3) and indicates that AMS providers may be allowed to declare their capability (article 8a, para 2e), there is no essential requirement in Annex Va about the way apron management service shall be provided. It means that the Basic regulation doesn’t necessarily require the development of detailed rules on this subject. The level of detail and stringent nature of the rules should be proportionate to the safety risk, according to the principles of a “risk based regulation”.

Yet, the summary of the regulatory impact assessment as provided in this explanatory note provides no analysis of data about incidents/accidents involving apron activities. So it is difficult to assess the corresponding safety risk, and hence to assess the need for more or less stringent requirements on this subject. The rules included in this NPA are indeed very prescriptive (they are globally as detailed as the rules applying to aerodrome operators), without much justification in terms of safety. In the RIA, the 0-option “do nothing” should also have been studied, as well as different scenarios considering different level of rules (more or less demanding for the AMS provider, more or less detailed).

response

*Not accepted*

Annex Va, par. B.1.(d) of the Basic Regulation states that: *‘the aerodrome operator shall ensure that movements of vehicles and persons in the movement area and other operational areas are coordinated with movements of aircraft in order to avoid collisions and damage to aircraft’*. This Essential Requirement is clearly related to the apron management.

Additionally, by reading paragraphs (d) and (e) of Article 8a, the following are concluded:

- Apron management service is part of aerodrome operations;
- A certificate is required if the provision of apron management service is not covered under the aerodrome certificate; and
- Member States may decide to accept declarations by apron management service providers.

The NPA does not propose how apron management service shall be provided. This is a decision that has to be taken at local level and the Agency does not define when such a service shall be provided. However, the Agency based on Article 8a is obliged to provide the necessary Implementing Rules for the certification, oversight, acceptance of declarations and operation of apron management service providers. In addition to this, it has to be considered that the Agency had decided to implement, for practical reasons, the provisions related to



apron management at a later stage. This is also the reason that ADR.002 Rulemaking Group had decided to exclude the vast majority of the procedures related to apron.

The RIA 0 – option ‘do nothing’ practically is not applicable since it is a regulatory requirement.

Concerning the lack of safety data about apron incidents or accidents, the Rulemaking Group noted that the reality is totally different since the majority of the incidents are not properly reported or not even reported, therefore, any reference to them is inappropriate. However, the Agency is aware of some serious apron incidents and lately some safety recommendations have been published.

|          |                                                                                                                                                                      |                                                                 |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| comment  | 747                                                                                                                                                                  | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|          | The objectives are good, particularly the recognition that the framework will have sufficient flexibility to cover the different types of apron management services. |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                      |                                                                 |

**2. Explanatory Note — 2.3. Summary of the RIA — 2.3.1. Issues to be addressed — 2.3.1.3 Who is affected?**

p. 6

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| comment  | 460                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | comment by: <i>Aena</i>        |
|          | Although GM2 ADR.OPS.D.001 specifically considers that a ATS provider could also provide apron management services, this document does not include requirements to be applied for such a situation. Our commentary is directed towards an acknowledgement of this option so that duplicity could be avoided, in documents (e.g. Operational Manual), in training, in management systems, etc. Thus the part belonging to apron management services could be integrated within ATS. We believe that some sort of explicit clarification should be made in this sense. |                                |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                |
|          | This is the overall line that the Agency wishes to follow in case apron management is provided by the aerodrome operator or the air traffic services provider. Clarifications have been provided throughout the text in order to allow the integration of the apron management activities into the activities of the air traffic services providers and avoid duplications.                                                                                                                                                                                          |                                |
| comment  | 498                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | comment by: <i>Belgian CAA</i> |
|          | Why are ground handling service providers impacted?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                |
|          | The proposed Regulation and the relevant AMC and GM require specific training to be performed for those persons providing marshalling and ‘FOLLOW-ME’ guidance to aircraft. There are many cases in Europe where these services are provided by ground handlers. In that respect, the ground handlers, through the aerodrome operators, have to follow the required training at the intervals established by the proposed Regulation. This might increase the administrative cost for ground handlers for the provision of the training and the record               |                                |



keeping.

## 2. Explanatory Note — 2.3. Summary of the RIA — 2.3.4. Analysis of impacts

p. 7

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>913 <span style="float: right;">comment by: <i>The Civil Aviation Authority</i></span></p> <p>This part have to be expanded. There should be real analysis of impacts, especially in case of safety impact. Harmonization of approaches cannot be the only reason to implement additional rules, which are administrative burden not only for aerodrome operators or ATS providers, but also for competent authorities. If there is a real possibility to increase the safety standards, it should be described in detail.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| response | <p><i>Not accepted</i></p> <p>Annex Va, par. B.1.(d) to the Basic Regulation states that: <i>‘the aerodrome operator shall ensure that movements of vehicles and persons in the movement area and other operational areas are coordinated with movements of aircraft in order to avoid collisions and damage to aircraft’</i>. This Essential Requirement is clearly related to the apron management.</p> <p>Additionally, by reading paragraphs (d) and (e) of Article 8a, the following are concluded:</p> <ul style="list-style-type: none"> <li>— Apron management service is part of aerodrome operations;</li> <li>— A certificate is required if the provision of apron management service is not covered under the aerodrome certificate; and</li> <li>— Member States may decide to accept declarations by apron management service providers.</li> </ul> <p>It has to be considered that earlier the Agency had decided to implement, for practical reasons, the provisions related to apron management at a later stage and not because it was a different task. This is also the reason that ADR.002 rulemaking group had decided to exclude the vast majority of the procedures related to apron.</p> <p>The RIA 0 – option ‘do nothing’ practically is not applicable since it is a regulatory requirement.</p> <p>Concerning the lack of safety data about apron incidents or accidents, the Rulemaking Group noted that the reality is totally different since the majority of the incidents are not properly reported or not even reported, therefore, any reference to them is inappropriate. However, the Agency is aware of some serious apron incidents and lately some safety recommendations have been published.</p> |

## 2. Explanatory Note — 2.3. Summary of the RIA — 2.3.4. Analysis of impacts — 2.3.4.1 Safety impact

p. 8

|          |                                                                                                                                                                                                                                 |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>754 <span style="float: right;">comment by: <i>HIA - Highlands and Islands Airports Limited</i></span></p> <p>The minimum training requirements established under the proposed rules will have a positive safety impact.</p> |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                             |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                 |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| comment  | 930                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | comment by: <i>The Civil Aviation Authority</i> |
|          | <p>This part have to be expanded. There should be real analysis of impacts, especially in case of safety impact. Harmonization of approaches cannot be the only reason to implement additional rules, which are administrative burden not only for aerodrome operators or ATS providers, but also for competent authorities. If there is a real possibility to increase the safety standards, it should be described in detail.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                 |
| response | <p><i>Not accepted</i></p> <p>Annex Va, par. B.1.(d) of the Basic Regulation states that: <i>‘the aerodrome operator shall ensure that movements of vehicles and persons in the movement area and other operational areas are coordinated with movements of aircraft in order to avoid collisions and damage to aircraft’</i>. This Essential Requirement is clearly related to the apron management.</p> <p>Additionally, by reading paragraphs (d) and (e) of Article 8a, the following are concluded:</p> <ul style="list-style-type: none"> <li>— Apron management service is part of aerodrome operations;</li> <li>— A certificate is required if the provision of apron management service is not covered under the aerodrome certificate; and</li> <li>— Member States may decide to accept declarations by apron management service providers.</li> </ul> <p>It has to be considered that earlier the Agency had decided to implement, for practical reasons, the provisions related to apron management at a later stage and not because it was a different task. This is also the reason that ADR.002 rulemaking group had decided to exclude the vast majority of the procedures related to apron.</p> <p>The RIA 0 – option ‘do nothing’ practically is not applicable since it is a regulatory requirement.</p> <p>Concerning the lack of safety data about apron incidents or accidents, the Rulemaking Group noted that the reality is totally different since the majority of the incidents are not properly reported or not</p> |                                                 |

**2. Explanatory Note — 2.3. Summary of the RIA — 2.3.4. Analysis of impacts — 2.3.4.2 Environmental impact**

p. 8

|          |                                                                                                                                  |                                                                      |
|----------|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| comment  | 14                                                                                                                               | comment by: <i>Amsterdam Airport Schiphol - AMS/EHAM (and D.A.A)</i> |
|          | <p>We believe that due too additional paperwork and coordination with stakeholders there will be a negative economic impact.</p> |                                                                      |
| response | <p><i>Noted</i></p> <p>The statement is very general and not substantiated with facts.</p>                                       |                                                                      |

**2. Explanatory Note — 2.3. Summary of the RIA — 2.3.4. Analysis of impacts — 2.3.4.4 Economic impact**

p. 8

|         |    |                                                    |
|---------|----|----------------------------------------------------|
| comment | 39 | comment by: <i>DFS Deutsche Flugsicherung GmbH</i> |
|---------|----|----------------------------------------------------|



We support the assumption in the Explanatory Note (2.3.4.4 Economic Impact) that “the requirements are similar and considered to be covered under their respective certificate” and that the treatment by Competent Authorities of “apron management services allocated to ... air traffic services providers will be part of the normal certification and oversight programme of the ... air traffic services provider.”

It is important that ATS provider are able to use their certificate as well as existing compliance material to their certificate and to integrate apron service details in these compliance documents, e.g. operations manuals, unit competence schemes. The maintenance of a separate set of compliance material should be prevented.

This is even more relevant, where the competent authority for ADR and AMS is different to the one established for ATS. A legal basis would be desirable that allows Competent Authorities other than the one for ATM/ANS providers to recognise/accept the existing certificate and compliance documents of the providers.

ATSP providing AMS should not suffer more bureaucratic burden than other organisations providing AMS for the fact that potentially several Competent Authorities are responsible for their certification and oversight.

For this clarity we propose to insert a new paragraph in Article 2 of the IR (see proposal under the relevant entry).

response *Accepted*

The intent of the NPA is not introduce additional requirements for the air traffic services providers. It is envisaged that the air traffic services will include into their activities those related to the apron management, under their current certificate.

comment 169

comment by: *Union des Aéroports français - UAF*

Attachment [#27](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Conséquences financières pour des exploitants d'aérodromes.

Références

☑ Regulatory Impact Assessment (RIA) § 2.3.4.4 Economic impact

Commentaires

L'AESA considère par principe que les textes qu'elle prépare ne doivent pas générer de charges nouvelles pour les exploitants d'aérodromes. Or il apparaît qu'un certain nombre de mesures vont entraîner des charges financières importantes (notamment concernant la formation des personnels, la supervision et le contrôle des aéronefs et des véhicules sur l'aire de trafic) et que de sérieuses incertitudes pèsent sur leurs modalités de financement.

Courtesy translation

Economical impact

Comments

EASA considers on principle that the texts prepare should not create new burdens for aerodrome operators because this function is already included in the certificate. But it appears that a number of measures will lead to significant financial burden (especially on staff training, supervision and control of aircraft and management of vehicles on the apron) and serious uncertainties about how it will be financed.

response *Not accepted*



For the training of personnel involved in the provision of apron management services, the role of the aerodrome operator is to ensure its implementation. The comment is too general to be assessed and impacts identified shall be substantiated by quantitative information. The proposed draft rules are not very different from the current practices, where the aerodrome operator, through its management system oversees the training of personnel involved in aerodrome operations, therefore the cost impact is minimised.

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                    |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| comment  | 242                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Aena</i>                                            |
|          | A clear statement regarding the validity of the current ATS certificate should be made in the document.                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                    |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                    |
|          | Please refer to ADR.AR.C.035, point (i).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                    |
| comment  | 612                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i> |
|          | Attachment <a href="#">#28</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                    |
|          | Comment 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                    |
|          | Objet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                    |
|          | Conséquences financières pour des exploitants d'aérodromes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                    |
|          | Références                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                    |
|          | <input type="checkbox"/> Regulatory Impact Assessment (RIA) § 2.3.4.4 Economic impact                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                    |
|          | Commentaires                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                    |
|          | L'AESA considère par principe que les textes qu'elle prépare ne doivent pas générer de charges nouvelles pour les exploitants d'aérodromes. Or il apparaît qu'un certain nombre de mesures vont entraîner des charges financières importantes (notamment concernant la formation des personnels, la supervision et le contrôle des aéronefs et des véhicules sur l'aire de trafic) et que de sérieuses incertitudes pèsent sur leurs modalités de financement.                                                                      |                                                                    |
|          | Courtesy translation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                    |
|          | Economical impact                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                    |
|          | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                    |
|          | EASA considers on principle that the texts prepare should not create new burdens for aerodrome operators because this function is already included in the certificate. But it appears that a number of measures will lead to significant financial burden (especially on staff training, supervision and control of aircraft and management of vehicles on the apron) and serious uncertainties about how it will be financed.                                                                                                      |                                                                    |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                    |
|          | For the training of personnel involved in the provision of apron management services, the role of the aerodrome operator is to ensure its implementation. The comment is too general to be assessed and impacts identified shall be substantiated by quantitative information. The proposed draft rules are not very different from the current practices, where the aerodrome operator, through its management system oversees the training of personnel involved in aerodrome operations, therefore the cost impact is minimised. |                                                                    |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p data-bbox="360 241 411 271">676</p> <p data-bbox="762 241 1485 271">comment by: ACA - Aéroports de la Côte d'Azur - NCE/LFMN</p> <p data-bbox="360 300 432 329">Objet</p> <p data-bbox="360 333 1107 362">Conséquences financières pour des exploitants d'aérodromes.</p> <p data-bbox="360 367 499 396">Références</p> <ul data-bbox="360 409 906 472" style="list-style-type: none"> <li data-bbox="360 409 906 472">•<br/><i>Regulatory Impact Assessment (RIA) § 2.3.4.4</i></li> </ul> <p data-bbox="360 477 568 506"><i>Economic impact</i></p> <p data-bbox="360 510 539 539">Commentaires</p> <p data-bbox="360 544 1485 719">L'AESA considère par principe que les textes qu'elle prépare ne doivent pas générer de charges nouvelles pour les exploitants d'aérodromes. Or il apparaît qu'un certain nombre de mesures vont entraîner des charges financières importantes (notamment concernant la formation des personnels, la supervision et le contrôle des aéronefs et des véhicules sur l'aire de trafic) et que de sérieuses incertitudes pèsent sur leurs modalités de financement.</p> <hr data-bbox="360 752 727 759"/> <p data-bbox="360 763 608 792">Courtesy translation</p> <p data-bbox="360 797 592 826">Economical impact</p> <p data-bbox="360 831 496 860">Comments</p> <p data-bbox="360 864 1485 1039">EASA considers on principle that the texts prepare should not create new burdens for aerodrome operators because this function is already included in the certificate. But it appears that a number of measures will lead to significant financial burden (especially on staff training, supervision and control of aircraft and management of vehicles on the apron) and serious uncertainties about how it will be financed.</p> |
| response | <p data-bbox="360 1070 523 1099"><i>Not accepted</i></p> <p data-bbox="360 1128 1485 1335">For the training of personnel involved in the provision of apron management services, the role of the aerodrome operator is to ensure its implementation. The comment is too general to be assessed and impacts identified shall be substantiated by quantitative information. The proposed draft rules are not very different from the current practices, where the aerodrome operator, through its management system oversees the training of personnel involved in aerodrome operations, therefore the cost impact is minimised.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | <p data-bbox="360 1379 411 1408">693</p> <p data-bbox="922 1379 1485 1408">comment by: Pau Pyrénées Airport - PUF/LFBP</p> <p data-bbox="360 1438 555 1467">Attachment <a href="#">#29</a></p> <p data-bbox="360 1496 1075 1525">conséquences financières pour les exploitants d'aérodrome</p> <p data-bbox="360 1554 432 1583">Objet</p> <p data-bbox="360 1588 1107 1617">Conséquences financières pour des exploitants d'aérodromes.</p> <p data-bbox="360 1621 499 1650">Références</p> <p data-bbox="360 1655 1134 1684">  Regulatory Impact Assessment (RIA) § 2.3.4.4 Economic impact</p> <p data-bbox="360 1688 539 1718">Commentaires</p> <p data-bbox="360 1722 1485 1897">L'AESA considère par principe que les textes qu'elle prépare ne doivent pas générer de charges nouvelles pour les exploitants d'aérodromes. Or il apparaît qu'un certain nombre de mesures vont entraîner des charges financières importantes (notamment concernant la formation des personnels, la supervision et le contrôle des aéronefs et des véhicules sur l'aire de trafic) et que de sérieuses incertitudes pèsent sur leurs modalités de financement.</p> <p data-bbox="360 1926 608 1955">Courtesy translation</p> <p data-bbox="360 1960 592 1989">Economical impact</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>Comments</p> <p>EASA considers on principle that the texts prepared should not create new burdens for aerodrome operators because this function is already included in the certificate. But it appears that a number of measures will lead to significant financial burden (especially on staff training, supervision and control of aircraft and management of vehicles on the apron) and serious uncertainties about how it will be financed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <p><i>Not accepted</i></p> <p>For the training of personnel involved in the provision of apron management services, the role of the aerodrome operator is to ensure its implementation. The comment is too general to be assessed and impacts identified shall be substantiated by quantitative information. The proposed draft rules are not very different from the current practices, where the aerodrome operator, through its management system oversees the training of personnel involved in aerodrome operations, therefore the cost impact is minimised.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <p>914 <span style="float: right;">comment by: <i>The Civil Aviation Authority</i></span></p> <p>The proposed regulation will impact significantly the aerodrome operators, especially if they will have to ensure that aircraft guidance within the apron is provided or that proper training is provided within ground handling agents. Therefore the sentence that ‘no additional effort is foreseen’ is not justified. In Poland, aircraft guidance within the apron is usually provided by ATS – which is perfectly in line with ICAO Annex 11 and PANS-ATM. Generally, apron management services are provided by the aerodrome operators (and will include such services under their certificate) in cooperation with ATS. ATS maintains radio communication with air crew, issues start-up and push-back clearances, gives taxi instructions via radio and provides separations between aircrafts. Usually also ground coordinator maintains communication with flight crew via intercom. Procedures of coordination are established in accordance with the written agreements (LoA between services). If ATS does not continue this practice and does not maintain communication with air crew within the apron, aerodrome operators will have to ensure that apron management service’s personnel providing VERBAL INSTRUCTIONS TO AIRCRAFT on the apron through RTF are qualified to take over some of the ATS duties.</p> <p>Polish CAA intention is to guarantee in the new EU regulation possibility to maintain actual state and shape of the apron management service, as described above.</p> <p>“Economic impact” should be expanded to take into account possible costs of imposition new requirements for aerodrome operators and should in detail describe additional responsibilities of any entity and its costs (financial and organizational).</p> |
| response | <p><i>Not accepted</i></p> <p>The responsibility of the air traffic services according to ICAO Annex 11 and PANS-ATM is limited to the manoeuvring area. However, this does not prevent the extension of the services provided by air traffic services to the apron. <b>The current proposal does not intend to change the allocation of responsibilities in the provision of services.</b> Most of the requirements apply when there is a third party, different from the aerodrome operator or the air traffic services provider, that provides apron management service. On the other hand, there are some training requirements for marshallers and ‘FOLLOW-ME’ drivers that have to be followed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>931 <span style="float: right;">comment by: <i>Polish Regional Airports Association</i></span></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



From our analyses it looks like fulfilling these requirements will cause increase of employment, at least five additional employees. This equals that expenses of particular airport will be bigger. To avoid this we recommend to allow executing functions related to apron management to employees already employed at the airport (eg. Airport Duty Officer).

response *Noted*

The statement that these requirements will cause increase of employment is not accepted, since the NPA allows the continuation of the current situation. Concerning the allocation of responsibilities to persons, this is an internal issue of the aerodrome operator and it is not the intention of the Agency to intervene.

**2. Explanatory Note — 2.3. Summary of the RIA — 2.3.4. Analysis of impacts — 2.3.4.5 General aviation and proportionality issues**

p. 8-9

comment 240

comment by: *Avinor*

Our understanding is that the provision of apron management services is not mandatory. For which aerodromes may the provision of apron management services not be required? Or is the decision generally left to the discretion of the aerodrome operator? Clarification is needed.

response *Accepted*

The provision of the apron management service is, indeed, not mandatory. The decision has to be taken at local level considering various factors, such as traffic density, apron complexity, weather conditions, etc. The intention of the Agency is not to intervene in that decision. The Agency intention is firstly to establish the requirements for the certification or declaration, oversight and operation of apron management service providers, if there is a decision at local level to establish such a service, and secondly to describe how apron related functions will be performed irrespective of the existence of an apron management service provider (e.g. marshalling, aircraft taxiing guidance on the apron, etc.)

comment 381

comment by: *ACI EUROPE (Airports Council International)*

Our understanding is that the provision of apron management services is not mandatory. For which aerodromes may the provision of apron management services not be required? Or is the decision generally left to the discretion of the aerodrome operator? Clarification is needed.

response *Accepted*

The provision of the apron management service is, indeed, not mandatory. The decision has to be taken at local level considering various factors, such as traffic density, apron complexity, weather conditions, etc. The intention of the Agency is not to intervene in that



decision. The Agency intention is firstly to establish the requirements for the certification or declaration, oversight and operation of apron management service providers, if there is a decision at local level to establish such a service, and secondly to describe how apron related functions will be performed irrespective of the existence of an apron management service provider (e.g. marshalling, aircraft taxiing guidance on the apron, etc.)

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|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| comment  | 414                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>Aéroports De Lyon</i>                                      |
|          | Our understanding is that the provision of apron management services is not mandatory. For which aerodromes may the provision of apron management services not be required? Or is the decision generally left to the discretion of the aerodrome operator? Clarification is needed.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                           |
|          | The provision of the apron management service is, indeed, not mandatory. The decision has to be taken at local level considering various factors, such as traffic density, apron complexity, weather conditions, etc. The intention of the Agency is not to intervene in that decision. The Agency intention is firstly to establish the requirements for the certification or declaration, oversight and operation of apron management service providers, if there is a decision at local level to establish such a service, and secondly to describe how apron related functions will be performed irrespective of the existence of an apron management service provider (e.g. marshalling, aircraft taxiing guidance on the apron, etc.) |                                                                           |
| comment  | 758                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>HIA - Highlands and Islands Airports Limited</i>           |
|          | Provision of apron management may not be required for small General Aviation aerodromes. This should also be extended to apply to small aerodromes with a low volume of traffic, which are operating public service operations into remote communities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
|          | The decision whether or not to establish an apron management services provider depends on local conditions, such as traffic density, apron complexity, weather conditions, etc. and should be taken at local level. The Agency cannot intervene in that decision. The Agency intention is firstly to establish the requirements for the certification or declaration, oversight and operation of apron management service providers, if there is a decision at local level to establish such a service, and secondly to describe how apron related functions will be performed irrespective of the existence of an apron management service provider (e.g. marshalling, aircraft taxiing guidance on the apron, etc.)                       |                                                                           |
| comment  | 782                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | Our understanding is that the provision of apron management services is not mandatory. For which aerodromes may the provision of apron management services not be required? Or is the decision generally left to the discretion of the aerodrome operator? Clarification is needed.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                           |
|          | The provision of the apron management service is, indeed, not mandatory. The decision has to be taken at local level considering various factors, such as traffic density, apron                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                           |



complexity, weather conditions, etc. The intention of the Agency is not to intervene in that decision. The Agency intention is firstly to establish the requirements for the certification or declaration, oversight and operation of apron management service providers, if there is a decision at local level to establish such a service, and secondly to describe how apron related functions will be performed irrespective of the existence of an apron management service provider (e.g. marshalling, aircraft taxiing guidance on the apron, etc.)

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                             |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| comment  | 993                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>Turin Airport - TRN/LIMF</i> |
|          | Our understanding is that the provision of apron management services is not mandatory. For which aerodromes may the provision of apron management services not be required? Or is the decision generally left to the discretion of the aerodrome operator? Clarification is needed.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                             |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                             |
|          | The provision of the apron management service is, indeed, not mandatory. The decision has to be taken at local level considering various factors, such as traffic density, apron complexity, weather conditions, etc. The intention of the Agency is not to intervene in that decision. The Agency intention is firstly to establish the requirements for the certification or declaration, oversight and operation of apron management service providers, if there is a decision at local level to establish such a service, and secondly to describe how apron related functions will be performed irrespective of the existence of an apron management service provider (e.g. marshalling, aircraft taxiing guidance on the apron, etc.) |                                             |

**2. Explanatory Note — 2.3. Summary of the RIA — 2.3.4. Analysis of impacts — 2.3.4.6 Impact on ‘Better Regulation’ and harmonisation**

p. 9

|          |                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                 |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| comment  | 761                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|          | The proposed rules are flexible allowing different solutions based on the specific aerodrome needs -This is welcomed.                                                                                                                                                                                                                                                                                         |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                 |
| comment  | 994                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: <i>Turin Airport - TRN/LIMF</i>                     |
|          | The comparison of options merely considers the free movement of persons and services and a potential harmonised and uniform approach across Member States as decision criteria. This seems odd for the European Aviation Safety Agency, in particular, as 2.3.4.1 states that the new rules have a positive impact on safety. Insert a sentence on the safety impact in section 2.3.5. Comparison of options. |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                               |                                                                 |

**2. Explanatory Note — 2.3. Summary of the RIA — 2.3.5. Comparison of options**

p. 9

|         |    |                                                      |
|---------|----|------------------------------------------------------|
| comment | 99 | comment by: <i>ADV - German Airports Association</i> |
|---------|----|------------------------------------------------------|



|          |     |                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |     | The comparison of options merely considers the free movement of persons and services and a potential harmonised and uniform approach across Member States as decision criteria. This seems odd for the European Aviation Safety Agency, in particular, as 2.3.4.1 states that the new rules have a positive impact on safety. Insert a sentence on the safety impact in section 2.3.5. Comparison of options. |
| response |     | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | 241 | comment by: <i>Avinor</i>                                                                                                                                                                                                                                                                                                                                                                                     |
|          |     | The comparison of options merely considers the free movement of persons and services and a potential harmonised and uniform approach across Member States as decision criteria. This seems odd for the European Aviation Safety Agency, in particular, as 2.3.4.1 states that the new rules have a positive impact on safety. Insert a sentence on the safety impact in section 2.3.5. Comparison of options. |
| response |     | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | 383 | comment by: <i>ACI EUROPE (Airports Council International)</i>                                                                                                                                                                                                                                                                                                                                                |
|          |     | The comparison of options merely considers the free movement of persons and services and a potential harmonised and uniform approach across Member States as decision criteria. This seems odd for the European Aviation Safety Agency, in particular, as 2.3.4.1 states that the new rules have a positive impact on safety. Insert a sentence on the safety impact in section 2.3.5. Comparison of options. |
| response |     | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | 783 | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i>                                                                                                                                                                                                                                                                                                                                     |
|          |     | The comparison of options merely considers the free movement of persons and services and a potential harmonised and uniform approach across Member States as decision criteria. This seems odd for the European Aviation Safety Agency, in particular, as 2.3.4.1 states that the new rules have a positive impact on safety. Insert a sentence on the safety impact in section 2.3.5. Comparison of options. |
| response |     | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | 956 | comment by: <i>IDRF e.V. (association of regional airports)</i>                                                                                                                                                                                                                                                                                                                                               |
|          |     | We agree these provisions may enable the free movement of persons and services and therefore they are acceptable. But there is absolutely no need to establish this provisions to enhance safety. There are no accidents or incidents known, which could not be covered by existing laws and rules.                                                                                                           |
| response |     | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                     |
|          |     | The comment that the provisions may enable the free movement of persons and services is <b>accepted</b> . The second part of the comment is not accepted for the following reasons:<br>1. Damages to aircraft and incidents on the aprons do really happen. Actually, the exact number cannot be determined due to the poor reporting. That has also been discussed                                           |



during the rulemaking group meeting and supported.

2. The requirements for establishing Implementing Rules for the certification or declaration, oversight and operation of apron management service providers stems from paragraphs (d) and (e) of Article 8a of the Basic Regulation.

3. According to point B.1(d) of Annex Va to the Basic Regulation 'the aerodrome operator shall ensure that movements of vehicles in the movement area and other operational areas are coordinated with movements of aircraft in order to avoid collisions and damage to aircraft'. This requirement includes by definition the apron, which is part of the movement area.

The Agency had, for practical reasons, taken the decision in the past to deal with apron management at a later stage, therefore, the procedures related to apron operations have not been thoroughly addressed in Regulation (EU) No 139/2014.

### 3. Proposed amendments

p. 10

|          |                                                                                                                                           |                                                                           |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| comment  | 100                                                                                                                                       | comment by: <i>ADV - German Airports Association</i>                      |
|          | Replace "(...)" with "[...]" as the latter is used throughout the text.                                                                   |                                                                           |
| response | <i>Accepted</i>                                                                                                                           |                                                                           |
| comment  | 121                                                                                                                                       | comment by: <i>ADV - German Airports Association</i>                      |
|          | Many provisions omit the providers of apron management services. E.g. AMC1 ADR.C.040(a);(f) or AMC1 ADR.D.005 (b)(12). Amend accordingly. |                                                                           |
| response | <i>Noted</i>                                                                                                                              |                                                                           |
| comment  | 264                                                                                                                                       | comment by: <i>Avinor</i>                                                 |
|          | Replace "(...)" with "[...]" as the latter is used throughout the text.                                                                   |                                                                           |
| response | <i>Accepted</i>                                                                                                                           |                                                                           |
| comment  | 384                                                                                                                                       | comment by: <i>ACI EUROPE (Airports Council International)</i>            |
|          | (c): Replace "(...)" with "[...]" as the latter is used throughout the text.                                                              |                                                                           |
| response | <i>Accepted</i>                                                                                                                           |                                                                           |
| comment  | 784                                                                                                                                       | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | Replace "(...)" with "[...]" as the latter is used throughout the text.                                                                   |                                                                           |
| response | <i>Accepted</i>                                                                                                                           |                                                                           |
| comment  | 995                                                                                                                                       | comment by: <i>Turin Airport - TRN/LIMF</i>                               |



|          |                                                                         |
|----------|-------------------------------------------------------------------------|
|          | Replace "(...)" with "[...]" as the latter is used throughout the text. |
| response | <i>Accepted</i>                                                         |

**3. Proposed amendments — 3.1. Draft Opinion**

p. 10-11

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>40 <span style="float: right;">comment by: <i>DFS Deutsche Flugsicherung GmbH</i></span></p> <p>Article 2 Paragraph 1.<br/>Sentence unclear. Proposal for clarity (changes are shaded):<br/>Article 2<br/>Conversion of certificates<br/>1. Certificates issued to providers of apron management services by the Competent Authority on the basis of national legislations shall remain valid until they are issued in accordance with this Article, or if no such certificates are issued, <b>until 31 December 2017 latest.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Accepted</i></p> <p>In order to provide more clarity, paragraph 1 has been revised as follows:<br/>‘Certificates issued to providers of apron management services by the Competent Authority on the basis of national legislations shall remain valid until new certificates are issued in accordance with this Regulation, at the latest by 31 December 2017’.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>41 <span style="float: right;">comment by: <i>DFS Deutsche Flugsicherung GmbH</i></span></p> <p>Article 2<br/>We suggest a new paragraph 3 . that allows the recognition of existing ATS provider certificates and the related compliance material according to our justification explained in the EN 2.3.4.4, i.e. in order to</p> <ul style="list-style-type: none"> <li>• cover cases where the CA for AMS is different to the CA for ATM/ANS provider</li> <li>• allow recognition of an existing certificate of the ATS provider and</li> <li>• prevent maintaining two (identical) sets of compliance material:</li> </ul> <p><b>3. The Competent Authority shall accept current certificates of Air Traffic Services providers, which provide aircraft guidance within the apron, if the ATS providers prove and declare to the Competent Authority that they have adapted their existing procedures, systems and documentation (handbooks) appropriately according to their enlarged area of responsibility in compliance with those requirements of Regulation (EC) No 216/2008 and its Implementing Rules.</b></p> <p>Appropriate GM may explain that existing documents may contain the AMS-relevant information and no maintenance of separate documentation is necessary.<br/>Accompanying AMC/GM to the Part AR (e.g. AMC to ADR.AR.C.035 (c)) should enable the Competent Authority to accept the existing ATSP certificate and compliance material.</p> |
| response | <p><i>Partially accepted</i></p> <p>The comment and the explanation is accepted and supported, however, the issue is addressed in ADR.AR.C.035 by adding the following point (i):<br/>‘(j) Notwithstanding the provisions of points (a) to (h) above, the Competent Authority may</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



accept certificates of air traffic services providers, recognised in that Member State, which provide apron management services if the provider demonstrates to the satisfaction of the Competent Authority compliance of its operations manual with the aerodrome manual of the host aerodrome.'

comment

96

comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre*

Re: Article 2

The conversion of certificates should be adjusted to meet the layout of Article 6 of Reg.139/2014, which also leads to the question if two separate certificates, one for the aerodrome operator, one for the AMSP, are necessary and when this is the case. Further guidance on the necessary/recommended number of certificate and their merging/separation should be provided in the regulation.

The Dec 31 deadline should be adjusted to provide for full 48 months of conversion period from the foreseen entry into force of the document, unless it is intended that only one certificate is issued.

Then, however, this should be made clear.

It is in any case proposed to make a link to the above mentioned Art.6.

response

*Partially accepted*

Article 2 follows the same logic with Article 6; however, it is adjusted to the specific requirements of the apron management service providers (i.e. certification specifications and special conditions are not applicable). Concerning the transition period for the conversion of the existing certificates, it is considered adequate since the process is more simplified. As regards the issuance of a single certificate for the aerodrome operator when it provides apron management services, Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 – Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself.

comment

252

comment by: *Nordic ADR Group (NO, SE, DK, FI, IC & EE)*

Article 2 - Conversion of certificates:

Based on our understanding of this article regarding conversion of certificates, we have following questions:

1) 1) Is it correct that the period specified in paragraph 1 is a transitional period, and after 31 December 2017 only apron management providers with certificate issued by the Competent Authority in accordance with the Regulation can provide services? Declarations will not be existing hereafter?

2) 2) Is it correct that in the transitional period the apron management service provide can ask the Competent Authority to declare that the provider complies with requirements of 216/2008 and its implementing rules? Only if the Competent Authority allows this, and the



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>provider will demonstrate the compliance, the Competent Authority will accept the declaration (with/without prior oversight)?</p> <p>3) 3) Declaration tool is applicable only for the existing apron management service providers?</p> <p>4) 4) What are the parameters on which the Competent Authority allows an apron management provider to submit a declaration intending to provide apron management services at an aerodrome? Is this declaration tool suitable for bigger or smaller aerodromes?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <p><i>Noted</i></p> <p><b>Question 1</b></p> <p>Paragraph 2 of Article 2 has been revised and the acceptance of declarations has been deleted. The specific article refers only to the conversion of existing certificates prior to entry into force of this Regulation. Declarations are foreseen as an option for the Member State and will normally continue after the end of the transition period.</p> <p><b>Question 2</b></p> <p>The decision whether or not a declaration will be accepted is not on the apron management service provider. This is a decision that should be taken by the Member State</p> <p><b>Question 3</b></p> <p>The declaration tool is applicable for the existing and the future apron management services providers.</p> <p><b>Question 4</b></p> <p>The decision whether or not to allow apron management service providers to submit a declaration, according to Article 8a.(e) of the Basic Regulation rests with the Member State. For that reason, the Agency does not provide such criteria.</p>                     |
| comment  | <p>407 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p><b>Deadline for application of the new provisions concerning AMS providers</b></p> <p><b>Level 1 - Fundamental comment</b></p> <p>The deadline for applicability of the new provisions regarding apron management service (31 December 2017, the same as for aerodrome operators) is too short. Contrary to aerodrome operators, AMS units may not be currently certified, nor even subject to oversight, since ICAO does not ask for it, contrary to aerodrome operators. It will require a lot of time and work to establish the procedures required for both the AMS provider and the Competent Authority. Compliance seems very hard to achieve before the end of year 2017. Besides, the Competent Authorities for aerodrome operator and for AMS provider may be different. It is therefore of limited interest to synchronize the two processes over the next years.</p> <p>It is therefore proposed to postpone the application of the new provisions after 2017.</p> |
| response | <p><i>Not accepted</i></p> <p>Authority Requirements are not very much affected by the proposed Implementing Rules, AMC and GM on apron management, because they follow the same principles as those for aerodrome operators. The Agency had also tried to keep similar Authority Requirements for all aviation domains in order to ensure a smooth functioning of the Competent Authority.</p> <p>Consideration also should be given to the fact that the certification of an apron management services provider is simpler compared to that of the aerodrome operator since the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                 |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
|          | certification basis is not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                 |
| comment  | 500                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | comment by: <i>Belgian CAA</i>                                  |
|          | Whereas (3) : "a need for" and "is required" is a pleonasm.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                 |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                 |
|          | The deletion of the phrase 'is required' will make the sentence incomplete.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                 |
| comment  | 501                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | comment by: <i>Belgian CAA</i>                                  |
|          | Article 2, 1. : we understand the content, but this sentence is not completely clear                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                 |
|          | In order to provide more clarity, paragraph 1 has been amended as follows:<br>'Certificates issued to providers of apron management services by the Competent Authority on the basis of national legislations shall remain valid until new certificates are issued in accordance with this Regulation, at the latest by 31 December 2017.'                                                                                                                                                                                                                                                                                                                           |                                                                 |
| comment  | 515                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | comment by: <i>BAA Airside operations</i>                       |
|          | 3.1 Draft Regulation Whereas (2). Not all aspects. As previous comment, aircraft taxiing guidance in the UK is provided by the ANSP, not AMS, and thus it is not within the normally understood definition of "aerodrome operations".                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                 |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                 |
|          | Aerodrome operations is understood to include operations on the movement area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                 |
| comment  | 762                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|          | The EUROPEAN COMMISSION Item (2) Apron management services are part of aerodrome operations -agree.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                 |
| comment  | 843                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | comment by: <i>Flughafen Düsseldorf GmbH</i>                    |
|          | Does the aerodrome operator need two certificates, if he on the one hand runs the airport and on the other hand offers apron management services in parts?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                 |
|          | Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following |                                                                 |



the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.

comment 844 comment by: *Flughafen Düsseldorf GmbH*

Issuing two certificates would be ineffective.

response *Accepted*

Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.

comment 915 comment by: *The Civil Aviation Authority*

Article 1

In COMMISSION REGULATION (EU) No 139/2014 of 12 February 2014, Article 2 – Definitions, definition of new term is needed.

***“provider of apron management services” – independent provider of apron management services, other than the apron management service provided by aerodrome operator or ATS.***

This have to be added to be clear in interpretation. That means that if aerodrome operators provides apron management services, they will not have to comply with regulations dedicated to „providers of apron management services” but only these dedicated to aerodrome operator directly.

They include such services under their certificate. Actual construction of proposed amendments is not clear – it can be misunderstood which rules should be obeyed by aerodrome operator and which by independent provider of apron management services – definition at the beginning of regulation 139/2014 will make it more clear.

Article 2

There is vague reference in Article 2 (1) to this Article. Moreover this article should refer only to provider of apron management services that already provides services, so sentence: „or if no such certificates are issued”, should be deleted.

Therefore the wording of Article 2 (1) should be, as follows:

***“Certificates issued to providers of apron management services by the Competent Authority on the basis of national legislations shall remain valid until they are issued in accordance with this Regulation but not later than until 31 December 2017.”***

Additionally in Article 2 (2) should be clear inscription: ***(...)the Competent Authority shall issue certificates or accept declarations for providers of apron management services, that already provide services, if the provider of apron management services has demonstrated compliance with those requirements (...)***

Article 3

This Regulation shall enter into force on the first day of the month following a period of 24 (twenty-four) months after the date of its publication in the Official Journal of the European Union.

Due to abundant responsibilities of aerodrome operators and competent authorities, there should be more time for preparation and implementation of new regulation.



This Regulation also requires thorough changes in Polish national law system (i.e. concerning aerodrome operator's responsibilities towards ground handling agents and their training), which require time and proper preparation. Proposed time of entry into force (20 days after publication) does not allow neither for competent authorities not for aerodrome operators to prepare for new rules of apron management services and to fulfill their new duties. Moreover in Article 3 (2) there should be reference also to aerodrome operators, to make clear when the new requirements stipulated in Annexes III and IV refer to entity the most responsible for apron management services – aerodrome operator.

response *Partially accepted*

The proposal to include a definition for the provider of apron management services is **not accepted**, since a definition of the apron management service is included in the Basic Regulation, therefore, it is not considered inappropriate to produce a new definition.

Article 2 simply requires, by the end of 2017, existing certificates to be converted, and, by that period, apron management service providers operating without certificate to be certified. Therefore, the comment is **not accepted**.

The comment on Article 3 is **not accepted** since this is a basic principle of European Union law.

comment 916

comment by: *The Civil Aviation Authority*

In our opinion here should be one more article.

Due to the possible impact that this Regulation may have to the range of the cost of ANSP, we suggest to add in Article 17 (1) of Commission Implementing Regulation No 390/2013 of 3 May 2013 laying down a performance scheme for air navigation services and network functions, an additional point (d) with possibility of adjustment of local targets and determined costs, in connection with a change in services provided by ANSP.

As currently part of apron management services is in practice performed by ATS provider and cover by navigation charges (which costs are established according in National Performance Plans for 5 years), new regulation might be connected with change of ATS duties. Therefore to avoid double charging for the same services (once by ATS, secondly by aerodrome operator) there must be possibility to adjust NPP if new regulation concerning apron management services will in practice impact the scope of services performed by ATS.

response *Noted*

The reasoning on risk of double charging is not clear to understand and quite hypothetical, so as a consequence difficult to assess.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART A — GENERAL REQUIREMENTS (ADR.AR.A) — ADR.AR.A.005 Competent Authority**

p. 12

comment 27

comment by: *CAA-NL*

ADR.AR.A.005-(b):

In line with other parts this paragraph can be deleted at all, the related provision in Part ADR.OR is sufficient to cover this.

This paragraph creates a dual oversight function for as well the Competent Authority who issues the certificate or registered the declaration **and** the Competent Authority responsible



for the oversight of aerodrome related activities in the Member State where the services are provided. We do not agree with this sharing of responsibilities between the Competent Authorities. The Competent Authority responsible for certification or registration of the declaration should be overall responsible for the provider of apron management services and may agree to have oversight tasks performed by other Competent Authorities of Member States where provision of apron management services takes place. If so these will report to the issuing authority, this as we also discussed in the special AGNA some time ago on cooperative and collective oversight.

response *Accepted*

The proposed philosophy to establish cooperative and collective oversight between the Competent Authorities for providers of apron management services providing services in more than one Member State is supported and accepted. However, this could only be applicable for certified providers of apron management services, since, according to Article 11 of the Basic Regulation, only certificates can be mutually recognised. For providers of apron management services having declared their capabilities to provide the service, there is not a requirement of mutual recognition and coordinated oversight.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

‘(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.’

comment 46

comment by: *Flughafen Berlin Brandenburg GmbH*

Which Competent Authority will be responsible if the different authorities disagree? How is the principal place of operation defined? (Is it the country of origin or that country where the focus of the service provider's business activities are?)

The latter could change in course of time. What happens if the principal place of operation is outside the EASA area? Clarification is needed.

response *Accepted*

The term ‘principal place of operation’ has been replaced by the term ‘principal place of business’ which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:

‘Principal place of business’ means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.’

The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012



and Regulation (EC) No 2042/2003.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

‘(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.’

comment

101

comment by: *ADV - German Airports Association*

(b) Replace "aerodrome related" with "aerodrome-related".

(b) Which Competent Authority will be responsible if the different authorities disagree? How is the principal place of operation defined? Clarification is needed.

response

*Accepted*

The term ‘principal place of operation’ has been replaced by the term ‘principal place of business’ which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:

‘Principal place of business’ means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.’

The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

‘(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.’

comment

146

comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre*

Re: paragraph (a)

The way that paragraphs a.2 and a.3 are written suggests that only those AMSPs can register a self-declaration with the Competent Authority that are operating in the same MS that they



have their principal place of operation in.  
Those who are located in one MS and provide services in another cannot do this, according to a.2.

This should be reviewed and clarified. The self-declaration should be added to a.2 as well.

What is regarded as the principal place of operation? A Clarification is needed here.  
Also thought should be given that maybe the principal place of operation might be outside the EASA region

Re: paragraph (b)

This solution is absolutely impracticable. This would mean that many AMSPs have two Competent Authorities who are responsible for the oversight. However no provisions are provided on how the cooperation between those two CAs should look like as there would be one CA responsible for the certification/registration of declaration and one CA that's responsible for continued oversight at the aerodrome. Furthermore this would mean that CAs of one MS perform inspections in another MS. There is currently no legal basis for this. The Competent Authority for AMSPs that perform cross-border operations should be EASA as this would be the only suitable solution and part of EASAs responsibilities.

response

*Noted*

Self-declarations are not mutually recognised as the certificates according to Article 11 of The Basic Regulation, and, therefore, the declaration cannot be used in another Member State.

The term 'principal place of operation' has been replaced by the term 'principal place of business' which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:

'Principal place of business' means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.'

The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'

comment 171

comment by: *Union des Aéroports français - UAF*



Attachment [#30](#)

Please find attached Union des Aéroports Français (UAF) comments

Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?

Références

- Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.
- Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aéroports.
- ADR.AR.A.005 (a) Competent Authority
- ADR.OR.B.005 (b) Certification obligations of aerodromes, and aerodrome operators and providers of apron management services
- ADR.OR.B.060 Declaration of providers of apron management services

Commentaires

La NPA ne définit pas clairement si le prestataire de service de gestion d'aire de trafic est soumis à déclaration ou à certification.

Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aire de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.

En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aire de trafic.

Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aire de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " Declaration of providers of apron management services " concernent les prestataires de gestion d'aire de trafic soumis à déclaration.

En conclusion que faut-il faire ? :

Plusieurs questions se posent alors:

1 – La première, si il faut prévoir cette activité dans le certificat pour les exploitants remplissant cette fonction ?

2 – Si c'est un tiers, doit-il être certifié ou peut-il se déclarer ? Il appartient à l'autorité compétente de déterminer suivant les critères qu'elle fixe, l'application d'un certificat ou d'une déclaration. Dans ce dernier cas il conviendrait de l'établir clairement dans le règlement.

Courtesy translation

Certification or declaration

Comments

NPA does not clearly define for the organization providing the apron management services, if it is subject to declaration or certification.

In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, the possibility that the apron management service (see Article 8 bis 2) e)) could make a declaration of her capacity and means.

In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration regime.

On the other hand neither the Regulation (UE) N°139/ 2014, or the project of regulation object of the present NPA do not fix criteria of distinction between regime of certification and declaration for the apron management service provider.

This lack could be highlighted in different rules: ADR AR.A.005 describes the certification



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|          | <p>service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.</p> <p>In summary what should be done?</p> <p>Some questions request answers:</p> <p>The first one: it is necessary to plan this activity in the certificate for operator performing this function?</p> <p>If it is a third party, should it be certified or a declaration is enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation.</p>                                                                                                                      |
| response | <p><i>Noted</i></p> <p>The decision whether or not to allow apron management service providers to submit a declaration, according to Article 8a.(e) of the Basic Regulation, rests with the Member State. For that reason, the Agency does not provide such criteria.</p> <p>For aerodrome operators intending to provide apron management services, it is not necessary to have a second certificate, but they can include this activity in the terms of the aerodrome certificate.</p>                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>254 <span style="float: right;">comment by: <i>Nordic ADR Group (NO, SE, DK, FI, IC &amp; EE)</i></span></p> <p>ADR.AR.A.005(a)(2):</p> <p>What is meant by "Principal place of operation"? It is difficult to clearly define. It could be defined by the number of apron service units, number of operations, number of educational activities, number of trained or employed personnel etc. This is especially an issue for a trans-European organization providing apron management service in several member states. Suggestion is to replace "principal place of operation" by "principal place of business".</p>                                                                                                                                                                                                                                    |
| response | <p><i>Accepted</i></p> <p>The term 'principal place of operation' has been replaced by the term 'principal place of business' which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:</p> <p>'Principal place of business' means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.'</p>                                                                                                                                                                                                                                                                                                  |
| comment  | <p>256 <span style="float: right;">comment by: <i>Nordic ADR Group (NO, SE, DK, FI, IC &amp; EE)</i></span></p> <p>ADR.AR.A.005(b):</p> <p>There shall only be one competent and certifying authority. "Both" means that there will be two competent authorities.</p> <p>The consequence is that (3)(b) should be deleted. It means that the competent authority will be the authority that certified the apron management service organization. In this case, the following text should also be incorporated into the authority requirements for management systems:</p> <p>"Where the activity of a person or organization involves more than one Member State or the Agency, the competent authority responsible for the oversight under (a) may agree to have oversight tasks performed by the competent authority(ies) of the Member State(s) where</p> |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|          | <p>the activity takes place or by the Agency. Any person or organization subject to such agreement shall be informed of its existence and of its scope. "A similar approach is to be found in regulation (EU) 290/2012 ARA.GEN.300.</p> <p>The text in the NPA is indenifinite.</p> <p>Similar wording as ADR.AR.A.005(b) is found in ADR.OR.A.010(b).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Accepted</i></p> <p>The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.</p> <p>Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:</p> <p>'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'</p> <p>Point (g) is not applicable for providers having submitted a declaration, since the latter is not mutually recognised according to Article 11 of the Basic Regulation.</p> |
| comment  | <p>266 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>Replace "aerodrome related" with "aerodrome-related".</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>267 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>Which Competent Authority will be responsible if the different authorities disagree? How is the principal place of operation defined? Is it the country of origin? Or rather the country of the principal operation of the service provider? The latter could change in the course of time. What happens if the principal place of operation is outside the EASA area, i.e., in Turkey? Clarification is needed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <p><i>Accepted</i></p> <p>The term 'principal place of operation' has been replaced by the term 'principal place of business' which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:</p> <p>'Principal place of business' means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.'</p> <p>The responsibility for the certified apron management services provider always remains with</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

‘(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.’

|          |          |                                                                         |
|----------|----------|-------------------------------------------------------------------------|
| comment  | 385      | comment by: ACI EUROPE (Airports Council International)                 |
|          |          | (b), fourth line: Replace "aerodrome related" with "aerodrome-related". |
| response | Accepted |                                                                         |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| comment  | 386                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | comment by: ACI EUROPE (Airports Council International)                                                                                                                                                                                                                                                                                                                                                          |
|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Which Competent Authority will be responsible if the different authorities disagree? How is the principal place of operation defined? Is it the country of origin? Or rather the country of the principal operation of the service provider? The latter could change in the course of time. What happens if the principal place of operation is outside the EASA area, i.e., in Turkey? Clarification is needed. |
| response | Accepted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                  |
|          | The term ‘principal place of operation’ has been replaced by the term ‘principal place of business’ which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:<br>‘Principal place of business’ means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.’ |                                                                                                                                                                                                                                                                                                                                                                                                                  |
|          | The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.              |                                                                                                                                                                                                                                                                                                                                                                                                                  |
|          | Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:<br>‘(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                  |



oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'

comment

421

comment by: DGAC France

### Certification or declaration of a provider for services provided in different Member States

#### Level 1 - Fundamental comment

According to the Basic regulation, apron management services providers may either be :

- certified (cf Article 8a, para 2.d) : this stands for the normal case ; or
- subject to declaration (cf Article 8a, para 2.e), if the Member state where the aerodrome is located so decides.

Thus, the choice made by the Member State between certification or declaration seems to have no link with the "principal place of operation" of the AMS provider quoted in ADR.AR.A.005. Besides, no definition has been provided for this concept.

Moreover, in case the Member State decides to certify an AMS provider, the certificate will be delivered for the provision of services at a specific aerodrome (or several specific aerodromes), as stated in the Basic regulation, Article 8a, para 2.a : *"a certificate [delivered to an organisation responsible for the operation of aerodromes, as para 2.d mentions] shall be required in respect of each aerodrome"*. Besides, this is in line with the certificate model for AMS providers as shown in this NPA (cf Appendix I), which mentions the name of the aerodrome where the provider intends to operate : *"[THE COMPETENT AUTHORITY OF THE MEMBER STATE] hereby certifies that : [PROVIDER OF APRON MANAGEMENT SERVICES COMPANY AND ADDRESS] is authorised to provide apron management services at [NAME OF THE AERODROME]"*.

Hence, if the provider operates at aerodromes of several States, it will hold several certificates/make several declarations, each one being delivered/registered by the Competent authority of the corresponding State. This is exactly the same principle as for certification of an aerodrome operator, in case the latter operates at several aerodromes located in different Member States. A certificate is delivered in each Member State for a given (list of) aerodrome(s) ; operating in several States means having several certificates. Holding already a certificate for the operation or provision of AMS at an aerodrome may be an asset to obtain a second certificate in another Member state, however this is not a sufficient condition, as the operating procedures must take into account local specificities of the aerodrome.

In order to better reflect the Basic regulation principles mentioned above, we propose to rephrase ADR.AR.A.005 and ADR.OR.A.010 (b) as follows :

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

(a) The Competent Authority designated by the Member State in which an aerodrome is located, shall be responsible for the:

- (1) certification and oversight of aerodromes and its aerodrome operators;
- (2) certification and oversight of providers of apron management services **providing services at this aerodrome having their principal place of operation in that Member State;**
- (3) registration of declarations from and oversight of providers of apron management services **providing services at this aerodrome aerodromes located in that Member State. , if the Member State has decided to derogate by accepting a declaration according to the Basic regulation, article 8a, para 2.e.**

~~(b) When an apron management services provider provides services in more than one Member State, the Competent Authorities for oversight shall be both the Competent~~



~~Authority who issued the certificate or registered the declaration and the Competent Authority responsible for the oversight of aerodrome related activities in the Member State where the services are provided.~~

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

[...]

~~(b) For apron management services providers providing services in more than one Member State, the Competent Authorities for oversight shall be both the Competent Authority who issued the certificate or registered the declaration and the Competent Authority responsible for the oversight of aerodrome activities in the Member State where such services are provided.~~

response

*Not accepted*

Article 11 of the Basic Regulation requires the mutual recognition of certificates issued in accordance with this Regulation, therefore, it is not appropriate to require new certificates if the apron management service provider provides services at aerodromes in another Member State. This is not applicable for the declarations which are not mutually recognised.

The term ‘principal place of operation’ has been replaced by the term ‘principal place of business’ which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:

‘Principal place of business’ means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.’

The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

‘(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.’

comment

442

comment by: *DGAC France*

**Compared interest of certification procedure towards declarative procedure ?**

**Level 1 - Fundamental comment**

According to Article 8a, para 2.e) and ADR.AR.A.005, Member States can choose between certification or registration (through a declaration) of their AMS providers. However, it's difficult to assess the benefits of each option, because the process and requirements described in both cases are very similar. The only differences identified so far concern :

- The preliminary inspections and verifications, which are required before delivering a



certificate, but not systematically for AMS providers declaring their activities (they are only subject to continuous oversight)

- The management of changes, which seems less stringent for AMS providers subject to declaration than for certified ones.

Apart from these two differences, the requirements are very similar in terms of management system, oversight, etc. So we don't see any real interest to distinguish the two options in this context.

A possibility would be to lighten the process for registration of declarations, compared to certification, which would justify the distinction made between the two options. The Member State would then have the choice between certification process, which would be more demanding in terms of oversight, and registration of a declaration from the provider, implying lighter oversight requirements.

For example, the oversight planning cycle could be lengthened for AMS providers subject to declaration, with regard to the cycle applying to certified AMS providers. The current text requires in both cases a cycle not exceeding 48 months (see ADR.AR.C.010). In other domains, as for example oversight of commercial air transport operators, the cycle is longer for operators subject to declaration (48 months) than for certified operators (24 months, then 36, and finally 48).

The certification process is deemed to be advantageous in case a provider wants to export its services in another EU Member State, as the certificate already obtained is seen as a "guarantee". A Member State can indeed lighten its oversight if a provider has already been certified in another Member State. However, this opportunity should be seized with caution, as the provision of services has to take local specificities of the aerodrome into account. It is important to note that the certificate is delivered for a given (list of) airport(s), as indicated in the certificate model proposed in this NPA. Already having a certificate for some airports doesn't exempt the AMS provider from adapting its procedures to the local context of the other airport where it wants to operate. Even if the oversight can be lightened, the Member State of the other airport shall ensure that the provider has taken the local context into account in its procedures.

response

*Accepted*

The differences between the two processes are, indeed, the two mentioned. The overall philosophy is to apply a more simplified approach (declaration) if the Member State decides so. As regards the oversight function, the new point (e) in ADR.AR.C.010 provides for different approach to the oversight of declared providers of apron management services.

Concerning the recognition of certificates, it is correct that local conditions should be taken into account when allowing a provider of apron management services to operate at an aerodrome in a different Member State. For that reason, the following point (b) has been added in ADR.OR.B.005:

(b) A certified provider of apron management service shall not undertake any activity in a Member State other than the Member State that issued their certificate as a provider of apron management service, unless it has:

(1) an agreement with an aerodrome operator of the host Member State to exercise its activities as a provider of apron management services;

(2) informed their certifying Competent Authority and the Competent Authority of the host Member State of their intention to provide apron management services on an aerodrome of the host Member State; and

(3) demonstrated to the satisfaction of the Competent Authority of the host Member State



compliance of their operations manual with the aerodrome manual of the host aerodrome.

comment 479

comment by: UK CAA

**Page No:** 12

**Paragraph No:** ADR.AR.A.005 Competent Authority, sub-paragraph (b)

**Comment:** Sub-paragraph (b) places the oversight obligation onto two Competent Authorities (CAs). Oversight should remain with one CA, which should be the state where services are provided.

**Justification:** This would be consistent with the certification and designation requirements.

**Proposed Text:** "When an apron management services provider provides services in more than one Member State, the Competent ~~Authorities~~ **Authority** for oversight shall be the Competent Authority ~~who issued the certificate or registered the declaration and the Competent Authority~~ responsible for the oversight of aerodrome related activities in the Member State where the services are provided."

response *Not accepted*

The proposal does not consider the fact that certificates are mutually recognised according to Article 11 of the Basic Regulation. In that respect, the responsibility for oversight remains with the certifying authority, however, this authority may agree to allocate oversight tasks to the Competent Authority of the Member State where apron management service is provided.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'

Point (g) is not applicable for providers having submitted a declaration, since the latter is not mutually recognised according to Article 11 of the Basic Regulation.

comment 508

comment by: Belgian CAA

What is the definition of "principal place of operation"?

response *Accepted*

The term 'principal place of operation' has been replaced by the term 'principal place of business' which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:

'Principal place of business' means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.'

comment 510

comment by: Belgian CAA



The fact that different authorities can do oversight on the same apron management service provider, has a lot of disadvantages:

- what if two authorities have a different interpretation of the rules?
- what authority will be responsible for the certificate, who will be coordinating?
- a possible overload of oversight audits for the service provider.
- a possibility to have contradicting advices by different authorities.
- what if one authority decides to accept a declarartion, and the other one doesn't want to work with declarations?
- ...

The Belgian CAA prefers that only one authority is chosen. It would be best that the authority of the country in which the service is provided is responsible. That would be coherent (both the airport and apron management service provider are overseen by the same authority), and it would be the cheapest system (less travelling for the CAA).

response

*Partially accepted*

The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'

comment

677

comment by: ACA - Aéroports de la Côte d'Azur - NCE/LFMN

NPA does not clearly define for the organization providing the apron management services, if it is subject to declaration or certification.

In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, the possibility that the apron management service (see Article 8 bis 2) e)) could make a declaration of her capacity and means.

In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration regime.

On the other hand neither the Regulation (UE) N°139/ 2014, or the project of regulation object of the present NPA do not fix criteria of distinction between regime of certification and declaration for the apron management service provider.

This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.

In summary what should be done?

Some questions request answers:



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|          | <p>The first one: it is necessary to plan this activity in the certificate for operator performing) this function?<br/>If it is a third party, should it be certified or a declaration is enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Noted</i></p> <p>The decision whether or not to allow apron management service providers to submit a declaration, according to Article 8a.(e) of the Basic Regulation rests with the Member State. For that reason, the Agency does not provide such criteria.</p> <p>For aerodrome operators intending to provide apron management services, it is not necessary to have a second certificate, but they can include this activity in the terms of the aerodrome certificate.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | <p>695 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #31</a></p> <p>Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?</p> <p>Certification ou déclaration<br/>Objet<br/>Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?<br/>Références<br/> <ul style="list-style-type: none"> <li>┆ Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.</li> <li>┆ Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aérodromes.</li> <li>┆ ADR.AR.A.005 (a) Competent Authority</li> <li>┆ ADR.OR.B.005 (b) Certification obligations of aerodromes, and aerodrome operators and providers of apron management services</li> <li>┆ ADR.OR.B.060 Declaration of providers of apron management services</li> </ul> Commentaires<br/> La NPA ne définit pas clairement si le prestataire de service de gestion d'aire de trafic est soumis à déclaration ou à certification.<br/> Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aire de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.<br/> En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aire de trafic.<br/> Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aire de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " Declaration of providers of apron management services " concernent les prestataires de gestion d'aire de trafic soumis à déclaration.<br/> En conclusion que faut-il faire ? :<br/> Plusieurs questions se posent alors:<br/> 1 – La première, faut-il prévoir cette activité dans le certificat pour les exploitants</p> |



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|          | <p>remplissant cette fonction ?</p> <p>2 – Si c'est un tiers, doit-il être certifié ou peut-il se déclarer ? Il appartient à l'autorité compétente de déterminer suivant les critères qu'elle fixe, l'application d'un certificat ou d'une déclaration. Dans ce dernier cas il conviendrait de l'établir clairement dans le règlement.</p> <p>Courtesy translation<br/>Certification or declaration<br/>Comments</p> <p>NPA does not clearly define for the organization providing the apron management services, if it is subject to declaration or certification.</p> <p>In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, that the apron management service (see Article 8 bis 2) e)) could make a declaration of its capacity and means.</p> <p>In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration system.</p> <p>On the other hand neither the Regulation (UE) N°139 / 2014, nor the project of regulation object of the present NPA fix criteria of distinction between regime of certification and declaration for the apron management service provider.</p> <p>This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.</p> <p>In summary what should be done?<br/>Some questions request answers:<br/>The first one: is it necessary to plan this activity in the certificate for operator performing) this function?<br/>If it is a third party, should it be certified or is a declaration enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation</p> |
| response | <p><i>Noted</i></p> <p>The decision whether or not to allow apron management service providers to submit a declaration, according to Article 8a.(e) of the Basic Regulation rests with the Member State. For that reason the Agency does not provide such criteria.</p> <p>For aerodrome operators intending to provide apron management services, it is not necessary to have a second certificate, but they can include this activity in the terms of the aerodrome certificate.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>849 <span style="float: right;">comment by: ENAC Ente Nazionale per l'Aviazione Civile (Italia)</span></p> <p>(a)<br/>What is meant for "principal place of operation"? The provider is supposed to apply for certification/declaration to the Competent Authority of the State in which the aerodromes where it mainly intends to operate are located (and not to the Competent Authority of the State of origin). But what happens if the provider extends its activities in other countries and the principal place of operation changes/moves?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <p><i>Accepted</i></p> <p>The term 'principal place of operation' has been replaced by the term 'principal place of business' which is used in Regulation (EC) No 2042/2003. The definition of the principal place</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |



of business, in accordance also with Regulation (EC) No 2042/2003, is the following:

‘Principal place of business’ means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.’

The Competent Authority of the apron management services provider shall be the one where it has the principal place of business. When the provider extends its business to another airport in a different Member State, according to Article 11 of the Basic Regulation, the certificate is mutually recognised. However, in order to consider local conditions the following point (b) has been added to ADR.OR.B.005:

(b) A certified provider of apron management services shall not undertake any activity in a Member State other than the Member State that issued their certificate as a provider of apron management service, unless it has:

(1) an agreement with an aerodrome operator of the host Member State to exercise its activities as a provider of apron management services;

(2) informed their certifying Competent Authority and the Competent Authority of the host Member State of their intention to provide apron management services on an aerodrome of the host Member State; and

(3) demonstrated to the satisfaction of the Competent Authority of the host Member State compliance of their operations manual with the aerodrome manual of the host aerodrome.

comment 850 comment by: ENAC Ente Nazionale per l'Aviazione Civile (Italia)

(b)

Which Competent Authority is responsible to take the final decision in case of conflict/disagreement among the Authorities in charge of the oversight (the one who issued the certificate or registered the declaration and the one(s) responsible for the oversight in the Member State(s) where the services are provided)?

response *Accepted*

Point (b) has been deleted from ADR.AR.A.005 and has been moved to ADR.AR.C.005 Oversight as point (g) and reads as follows:

(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.

According to this requirement, an agreement between the two Competent Authorities may be established on how to coordinate the oversight of the provider of apron management services, if it is decided so by the certifying authority. Resolution of conflicts or disagreements could be part of this agreement.

comment 882 comment by: AESA - Spanish CAA

Where it says “When apron management services are provided,...” it should be understood



that it is referring to a specific AMS Unit providing these services. Through the text of Annex IV - Subpart D "Apron Management Services", there are other services included that should not be considered certifiable as established in ADR.AR.A.005 such as "leader van services" or "marshalling services".

response *Noted*

comment *960* comment by: *IDRF e.V. (association of regional airports)*  
we explicitly refer to the comment 386 (ACI Europe). Clarification is needed.

response *Accepted*

The term 'principal place of operation' has been replaced by the term 'principal place of business' which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:

'Principal place of business' means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.'

The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART A —  
GENERAL REQUIREMENTS (ADR.AR.A) — ADR.AR.A.010 Oversight documentation**

p. 12

comment *160* comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre*

Insert "the applicable" or "the respective":

The Competent Authority shall make available **the applicable/the respective** legislative acts, standards, rules, technical publications and related documents to aerodrome operators, providers of apron management services and other interested parties to facilitate their compliance with the applicable requirements.

response *Not accepted*



This is an already established text in Regulation (EU) No 139/2014. The use of the term 'applicable' is more than sufficient.

comment

616

comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD

Attachment [#32](#)

Comment 3

Certification ou déclaration

Objet

Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?

Références

┆ Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.

┆ Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aérodromes.

┆ ADR.AR.A.005 (a) Competent Authority

┆ ADR.OR.B.005 (b) Certification obligations of aerodromes, and aerodrome operators and providers of apron management services

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

Commentaires

La NPA ne définit pas clairement si le prestataire de service de gestion d'aire de trafic est soumis à déclaration ou à certification.

Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aire de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.

En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aire de trafic.

Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aire de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " Declaration of providers of apron management services " concernent les prestataires de gestion d'aire de trafic soumis à déclaration.

En conclusion que faut-il faire ? :

Plusieurs questions se posent alors:

1 – La première, faut-il prévoir cette activité dans le certificat pour les exploitants remplissant cette fonction ?

2 – Si c'est un tiers, doit-il être certifié ou peut-il se déclarer ? Il appartient à l'autorité compétente de déterminer suivant les critères qu'elle fixe, l'application d'un certificat ou d'une déclaration. Dans ce dernier cas il conviendrait de l'établir clairement dans le règlement.

Courtesy translation

Certification or declaration

Comments

NPA does not clearly define for the organization providing the apron management services, if it is subject to declaration or certification.

In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, that the apron management service (see Article 8 bis 2) e)) could make a



declaration of its capacity and means.  
 In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration system.  
 On the other hand neither the Regulation (UE) N°139 / 2014, nor the project of regulation object of the present NPA fix criteria of distinction between regime of certification and declaration for the apron management service provider.  
 This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.  
 In summary what should be done?  
 Some questions request answers:  
 The first one: is it necessary to plan this activity in the certificate for operator performing) this function?  
 If it is a third party, should it be certified or is a declaration enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation

response *Noted*

The decision whether or not to allow apron management services providers to submit a declaration, according to Article 8a.(e) of the Basic Regulation, rests with the Member State. For that reason, the Agency does not provide such criteria.  
 For aerodrome operators intending to provide apron management services, it is not necessary to have a second certificate, but they can include this activity in the terms of the aerodrome certificate.

comment

683

comment by: ACA - Aéroports de la Côte d'Azur - NCE/LFMN

Objet

Application du certificat et fin des opérations.

Références

•

ADR.OR.A.010 Competent Authority (b)

• ADR.OR.B.020 Application for a certificate

• ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Commentaires

Selon l'ADR.OR.A.010

*Competent Authority (b)*

nous comprenons que lorsqu'une entreprise se situe dans un pays et opère dans un autre pays, il est suffisant d'avoir un seul certificat ou d'être déclaré, et donc qu'un certificat par aérodrome n'est pas nécessaire

De même, l'ADR.OR.B.020 (5)

*Application for a certificate prévoit la nomination par le prestataire de service de gestion d'aire de trafic d'un accountable manager. Or*

celui-ci peut se trouver dans un autre pays que celui où est fournie la prestation de gestion d'aire de trafic, si celui-ci a été certifié dans un autre pays, nous pensons que la position de ce responsable ne conduit pas à avoir une vraie politique de développement de la sécurité.

• Fin des opérations et validité du certificat :

L'ADR.OR.B.070 (b)(1)



*Termination of operation - providers of apron management service,*  
impose à l'exploitant d'aérodrome de veiller à la continuité du service et de s'assurer de la continuité de la gestion d'aire de trafic. Cette règle impose d'avoir une autre entité tierce certifiée pour palier la fin d'activité du prestataire sortant. Cette IR ne prévoit pas le cas où le service de gestion d'aire de trafic ne serait plus rendu, ce qui laisse sous-entendre que ce service serait obligatoire sur tous les aérodromes européens entrant dans le champ du règlement (CE) N°216/2008 (cf. fiche n°4). Il faut avoir prévu, comme dans l'IR ADR.OR.B.065 du règlement (UE) N°139/2014 le cas d'une fin de prestation du service.

Proposition

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Supprimer b) 1 et b) 2)

Courtesy translation

Certificat implementation

Comments

According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.

In this case, the coordination between the competent authorities is not provided. We have doubts about the implementation of rules which requires coordination with competent authorities.

- End of operations and the validity of the certificate:

ADR.OR.B.070 (b) (1)

*Termination of operation - Providers of apron management service,*

oblige the operator to deal with the service continuity and to make sure the continuity of apron management services. These rules oblige to have another third entity and fully qualified to replace the termination of the previous company, in most of the cases, it will be the operator who will do this.

It is necessary to have the same writing as the IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.

Proposal

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Delete b) 1) and b) 2)

response

*Noted*

According to the the Basic Regulation, certificates issued in accordance with the provisions of the said Regulation and its Implementing Rules are mutually recognised. Concerning the coordination between the Competent Authorities of different Member States when a certified provider of apron management services operates at aerodromes in different Member States, please refer to point (g) in ADR.AR.C.005

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART B — MANAGEMENT (ADR.AR.B) — ADR.AR.B.005 Management system**

p. 12

comment

149

comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre*

This solution is absolutely impracticable. No guidance is provided on how the cooperation between those two CAs should look like. There is currently no legal basis for this and it would mean that possibly cross-border contracts on a state level would have to be signed which in



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|          | <p>turn is linked to additional costs.</p> <p>Also there is a certain risk that specific circumstances that were important for the issuance of the certificate/acceptance of self-declaration cannot be/are not accepted by the CA that is responsible for the continued oversight.</p> <p>The Competent Authority for AMSPs that perform cross-border operations should be EASA as this is the only suitable solution and EASA's purpose.</p> <p>[Also see comment for AR.A.005 (b)]</p>                                                                                                                                                                                                  |
| response | <p><i>Not accepted</i></p> <p>The same provisions are included in Regulations (EU) Nos 290/2012 and 965/2012. The coordination agreement between the Competent Authorities is a bilateral issue, and the Agency does not intend to provide any guidance, in order to allow flexibility for the Competent Authorities.</p> <p>Concerning the continuing oversight, this is the responsibility of the certifying Competent Authority which may agree to have oversight tasks performed by the Competent Authority of the Member State where such services are provided. The resolution of disagreements or conflicts could be part of this agreement (refer to ADR.OR.C.005, point (g)).</p> |
| comment  | <p>511 <span style="float: right;">comment by: <i>Belgian CAA</i></span></p> <p>If the choice is made that different competent authorities are possible, we should speak about "Competent Authorities". This remark is applicable for the whole document.</p>                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>614 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span></p> <p>The requirement on mutual exchange of all necessary information and assistance with other Competent Authority may conflict with national legislation on data protection and/or legislation on international legal assistance in criminal matters. It needs to be clarified whether this regulation prevails over such national legislations.</p>                                                                                                                                                                                                                                 |
| response | <p><i>Noted</i></p> <p>The mutual exchange of information could be part of the agreement between the certifying Competent Authority and the Competent Authority of the Member State where these services are provided where the former may agree to have oversight tasks performed by latter.</p>                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | <p>615 <span style="float: right;">comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></span></p> <p><a href="#">Attachment #33</a></p> <p>Comment 3 : Certification or declaration ?</p> <p>Certification ou déclaration</p> <p>Objet</p> <p>Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?</p> <p>Références</p>                                                                                                                                                                                                                                                                                                |



┆ Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.

┆ Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aérodromes.

┆ ADR.AR.A.005 (a) Competent Authority

┆ ADR.OR.B.005 (b) Certification obligations of aerodromes, and aerodrome operators and providers of apron management services

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

Commentaires

La NPA ne définit pas clairement si le prestataire de service de gestion d'aire de trafic est soumis à déclaration ou à certification.

Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aire de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.

En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aire de trafic.

Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aire de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " Declaration of providers of apron management services " concernent les prestataires de gestion d'aire de trafic soumis à déclaration.

En conclusion que faut-il faire ? :

Plusieurs questions se posent alors:

1 – La première, faut-il prévoir cette activité dans le certificat pour les exploitants remplissant cette fonction ?

2 – Si c'est un tiers, doit-il être certifié ou peut-il se déclarer ? Il appartient à l'autorité compétente de déterminer suivant les critères qu'elle fixe, l'application d'un certificat ou d'une déclaration. Dans ce dernier cas il conviendrait de l'établir clairement dans le règlement.

Courtesy translation

Certification or declaration

Comments

NPA does not clearly define for the organization providing the apron management services, if it is subject to declaration or certification.

In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, that the apron management service (see Article 8 bis 2) e)) could make a declaration of its capacity and means.

In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration system.

On the other hand neither the Regulation (UE) N°139 / 2014, nor the project of regulation object of the present NPA fix criteria of distinction between regime of certification and declaration for the apron management service provider.

This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.

In summary what should be done?

Some questions request answers:

The first one: is it necessary to plan this activity in the certificate for operator performing) this function?



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|          | <p>If it is a third party, should it be certified or is a declaration enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation</p>                                                                                                                                                                          |
| response | <p><i>Noted</i></p> <p>The decision whether or not to allow apron management service providers to submit a declaration, according to Article 8a.(e) of the Basic Regulation rests with the Member State. For that reason, the Agency does not provide such criteria.</p> <p>For aerodrome operators intending to provide apron management services, it is not necessary to have a second certificate, but they can include this activity in the terms of the aerodrome certificate.</p> |

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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART B —<br/>MANAGEMENT (ADR.AR.B) — ADR.AR.B.020 Record keeping</b> | p. 12-13 |
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| comment  | 509 <span style="float: right;">comment by: <i>Belgian CAA</i></span>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|          | What authority is responsible for this? The authority of the principle place of operations or the authority that issued the certificate?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| response | <p><i>Accepted</i></p> <p>The term ‘principal place of operation’ has been replaced by the term ‘principal place of business’ which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:</p> <p>‘Principal place of business’ means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.’</p> <p>The responsibility rests with the certifying Competent Authority, i.e. the Authority of the Member State where the provider of apron management services has its principal place of business. Additionally, a new point (a) (12) has been introduced requiring the Competent Authority to keep records of oversight of an apron management services provider providing services in this Member State , but certified and overseen by the Competent Authority of another Member State, subject to the agreement for oversight between the two Competent Authorities. This concept had already been introduced in Regulations (EU) Nos 965/2012 and 290/2012.</p> <p>Point (a)(12) reads as follows:</p> <p>‘(a) The Competent Authority shall establish a system of record keeping providing for adequate storage, accessibility and reliable traceability of:</p> <p>[...]</p> <p>(12) oversight of providers of apron management service exercising activities on aerodromes of the Member State, but overseen or certified by the Competent Authority of another Member State, as agreed between these Authorities.</p> |
| comment  | 618 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



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|          | ADR.AR.B.020 (c): National legislation on record keeping (in Switzerland: Bundesgesetz über Archivierung, Buchführungsvorschriften des Obligationenrechts) may be stricter. It needs to be clarified whether national legislations may provide for higher standards. |
| response | <i>Noted</i><br><br>These are the minimum requirements.                                                                                                                                                                                                              |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — ADR.AR.C.005 Oversight**

p. 13

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                      |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: <i>CAA-NL</i>                            |
|          | <p>Related to the remarks made to ADR.AR.A.005 and ADR.OR.A.010 We suggest to include the following under this point:</p> <p>‘(..) Without prejudice to the competences of the Member States, the scope of the oversight of activities performed in the territory of a Member State by organisations established in another Member State shall be determined on the basis of the safety priorities, as well as of past oversight activities.</p> <p>(..) Where the activity of a person or organisation involves more than one Member State or the Agency, the competent authority responsible for the oversight under (a) may agree to have oversight tasks performed by the competent authority(ies) of the Member State(s) where the activity takes place or by the Agency. Any person or organisation subject to such agreement shall be informed of its existence and of its scope.’</p>                                                                                                                                                |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                      |
|          | <p>The first paragraph has been added as point (f), that reads as follows, in order to provide more clarity:</p> <p>‘(f) Without prejudice to the competences of the Member States, the scope of the oversight of apron management services performed in the territory of a Member State by providers established in another member State shall be determined on the basis of the safety priorities, as well as of past oversight activities.’</p> <p>The second paragraph has been added as point (g), that reads as follows:</p> <p>‘(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.’</p> |                                                      |
| comment  | 102                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i> |
|          | (a)(2) Replace "issue of a certificate" with "issuance of a certificate" for consistency (see, e.g., GM1 ADR.AR.B.010 on p. 28).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                      |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                      |
| comment  | 269                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Avinor</i>                            |



|          |                                                                                                                                                                                                                                               |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | Replace "issue of a certificate" with "issuance of a certificate" for consistency (see, e.g., GM1 ADR.AR.B.010 on p. 28).<br><i>Noted</i>                                                                                                     |
| comment  | 387 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span><br>(a) (2): Replace "issue of a certificate" with "issuance of a certificate" for consistency (see, e.g., GM1 ADR.AR.B.010 on p. 28).   |
| response | <i>Noted</i>                                                                                                                                                                                                                                  |
| comment  | 512 <span style="float: right;">comment by: <i>Belgian CAA</i></span><br>It is unclear what authority has the final responsibility.                                                                                                           |
| response | <i>Noted</i><br>Please refer to new point (g).                                                                                                                                                                                                |
| comment  | 785 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span><br>Replace "issue of a certificate" with "issuance of a certificate" for consistency (see, e.g., GM1 ADR.AR.B.010 on p. 28). |
| response | <i>Noted</i>                                                                                                                                                                                                                                  |
| comment  | 1052 <span style="float: right;">comment by: <i>Turin Airport - TRN/LIMF</i></span><br>Replace "issue of a certificate" with "issuance of a certificate" for consistency (see, e.g., GM1 ADR.AR.B.010 on p. 28).                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                  |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — ADR.AR.C.010 Oversight programme** p. 13

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment | 29 <span style="float: right;">comment by: <i>CAA-NL</i></span><br>We are of the opinion that the difference in risk and authority effort between an certified organization and an organization able to declare its activities should also be reflected in the oversight. We therefore suggest to confine (a) to certified /approved organisations and to add the following paragraph specifically for organisations declaring their activities in line with those in the OPS regulations.<br>'(..) For organisations declaring their activity to the competent authority, the oversight programme shall be developed taking into account the specific nature of the organisation, the complexity of its activities and the results of past oversight activities and shall be based on the assessment of associated risks. It shall include audits and inspections, including ramp and unannounced inspections, as appropriate;' |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



response *Accepted*

New point (e) has been added as follows:

‘(e) For providers of apron management services declaring their activity to the Competent Authority, the oversight programme shall be developed taking into account the specific nature of the organisation, the complexity of its activities and the results of past oversight activities and shall be based on the assessment of associated risks. It shall include audits and inspections, including unannounced inspections, as appropriate.’

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — ADR.AR.C.015 Initiation of certification process** p. 13

comment 155 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre*

see above:  
The mention of the self-declaration is missing in all paragraphs.  
Like this the provisions suggest that a certificate has to be issued.

response *Noted*

This article refers to the certification of apron management service providers. The relevant article for the declaration is ADR.AR.C.050. Depending on the decision of the Member State, either ADR.AR.C.015 or ADR.AR.C.050 applies.

comment 243 comment by: *Aena*

There is not an explicit reference to the case where that existing provider were already an ATS provider. Our proposal would be that no additional certificate is needed in the case of apron management service, but otherwise included within ATS certificate when they are all provided as a whole.

response *Accepted*

In ADR.AR.C.035, a new point (i) has been added, that reads as follows:

‘(i) Notwithstanding the provisions of points (a) to (i) above, the Competent Authority may accept certified air traffic services providers, recognised in that Member State, to provide apron management services if the provider demonstrates to the satisfaction of the Competent Authority that its operations manual is aligned with the aerodrome manual of the host aerodrome.’

comment 446 comment by: *DGAC France*

**ADR.AR.C.015 Initiation of certification process**  
**Level 3 – Typographical mistake**

There is an editorial mistake at the end of paragraph (b) : replace "and" (the provider of apron management services)" by "or".

response *Accepted*



**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — ADR.AR.C.035 Issuance of certificates** p. 13-14

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                      |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Jan Loncke</i>                        |
|          | <p>ADR.AR.C.035 (e)<br/> I suggest to add the words "provider of apron management services" in the sentence, so that there is no chance of misunderstanding which manual is being meant :<br/> (e) The certificate referred to in paragraph (b)(2) shall be considered to include the operations manual of <b>the provider of apron management services</b> and, if relevant, any other operating conditions or limitations prescribed by the Competent Authority.<br/> Motivation :<br/> Under ADR.AR.C.035 (d) the aerodrome manual is clearly mentioned. By adding the suggested text under (e) there would be no chance of misunderstanding and it would be very clear that the manual which is meant is the Operations Manual of Provider of Apron Management Services as described in this present NPA under Subpart F, ADR.OR.F.005 and not the aerodrome manual.</p> |                                                      |
| response | <p><i>Noted</i></p> <p>The term used is 'Operations Manual' where for the aerodrome the term 'Aerodrome Manual' is used.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                      |
| comment  | 30                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: <i>CAA-NL</i>                            |
|          | <p><u>ADR.AR.C.035 (b)(2):</u><br/> Please delete "as prescribed in Appendix I to this part".<br/> <u>ADR.AR.C.035 (c):</u><br/> Please add a reference to ADR.OR.B.026 in this paragraph.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                      |
| response | <p><i>Partially accepted</i></p> <p>The first comment is <b>not accepted</b>. Since the certificates of apron management service providers are mutually recognised, it has to be standardised.<br/> The second comment is <b>accepted</b> and text has been revised accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                      |
| comment  | 103                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i> |
|          | <p>(b)(2) If an aerodrome operator is the provider of apron management services, it should be made clear that the certificate for apron management service can be included into the operators' certificate. Clarification is needed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                      |
| response | <p><i>Accepted</i></p> <p>Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the</p>                                                                                                                                                                                                                                                                                                                                                                    |                                                      |



certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.

comment 104 comment by: *ADV - German Airports Association*

(e) If an aerodrome operator is the provider of apron management services, it should be made clear that the operations manual can be an integrated part of the aerodrome manual.

response *Accepted*

Refer to ADR.OR.F.005, point (m).

comment 154 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre*

see above:

The mention of the self-declaration is missing in all paragraphs.

Like this the provisions suggest that a certificate has to be issued.

response *Noted*

This article refers to the certification of apron management services providers. When the Member State has decided to accept declarations, then ADR.AR.C.050 applies.

comment 157 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre*

paragraph b.2 should be changed to read:

"when apron management services will not be provided by the aerodrome operator, a certificate for the ..."

This allows for a simplified certification process in the context of the aerodrome certification when the aerodrome operator is also the provider for AMS (at its own aerodrome) because only one (or two, as per b.1) certificate(s) have to issued.

response *Accepted*

Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.

comment 159 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre*



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>Re: paragraph (e)<br/>If the aerodrome operator is the AMSP, can the operations manual be part of the aerodrome manual? This question also stems from the fact that clarification is needed on the number of necessary certificates in that case (see earlier comments).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Accepted</i></p> <p>A new point (m) has been added in ADR.OR.F.005, as follows:<br/>‘(m) In the case that the aerodrome operator or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.’</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>174 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p>Attachment <a href="#">#34</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).<br/>Références<br/> <input type="checkbox"/> ADR.AR.C035 (b)(1) et (d) Issuance of certificates<br/> <input type="checkbox"/> ADR.OPS.D.001 Provision of services<br/> <input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services<br/> Commentaires<br/> 1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation. En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided"). A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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. De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car Il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.<br/> - ADR.AR.C.035 Issuance of certificates (2)<br/> - ADR.OR.C.030 Occurrence reporting (c)<br/> - AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services<br/> - AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)<br/> - AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)<br/> - AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)<br/> 2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.<br/> 3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :</p> |



- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)  
 - la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)  
 - la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),  
 Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

### 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) ( 1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>ADR.OPS.D.035 Management of vehicle movements.<br/>That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.</p> <p>4/ Proportional measures<br/>The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| response | <p><i>Noted</i></p> <p>ADR.OPS.D.002 requires the aerodrome operator to ensure that arrangements are in place for the management of operations on the apron. The apron management is required at any aerodrome irrespective of its size and complexity (refer also to ICAO Doc 9476). The establishment of a dedicated apron management service is a decision that has to be taken based on local conditions. For this reason, GM1 ADR.OPS.D.002 provides more information concerning the criteria that could be used.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>176 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p><a href="#">Attachment #35</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).<br/>Références<br/> <input type="checkbox"/> ADR.AR.C035 (b)(1) et (d) Issuance of certificates<br/> <input type="checkbox"/> ADR.OPS.D.001 Provision of services<br/> <input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services<br/> Commentaires<br/> 1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation. En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").<br/> A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.<br/> De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car Il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.<br/> - ADR.AR.C.035 Issuance of certificates (2)<br/> - ADR.OR.C.030 Occurrence reporting (c)<br/> - AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services<br/> - AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)</p> |



- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)  
 - AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).<br/>It is contradicted by the ADR.AR.C035 ( b ) ( 1 ) and ( d ) which leaves the possibility of having several certificates.<br/>3/ We also understand that if an apron management unit exist, it shall deal with a minimum :<br/>ADR.OPS.D.015 Management of aircraft movement on the apron,<br/>ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,<br/>ADR.OPS.D.035 Management of vehicle movements.<br/>That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.<br/>4/ Proportional measures<br/>The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.</p> |
| response | <p><i>Noted</i></p> <p>ADR.OPS.D.002 requires the aerodrome operator to ensure that arrangements are in place for the management of operations on the apron. The apron management is required at any aerodrome irrespective of its size and complexity (refer also to ICAO Doc 9476). The establishment of a dedicated apron management service is a decision that has to be taken based on local conditions. For this reason, GM1 ADR.OPS.D.002 provides more information concerning the criteria that could be used.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>220 <span style="float: right;">comment by: <i>Swedavia AB - Swedish airports</i></span></p> <p>If an aerodrome operator is the provider of apron management services, will it need two separate certificates? What will be the situation if an aerodrome certificate is already issued? See comment #205.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Accepted</i></p> <p>Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct, to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself.</p> <p>When a certified aerodrome operator decides to provide apron management services by itself, then a change to the terms of the certificate is required, and articles ADR.AR.C.040 and ADR.OR.B.040 apply.</p>                                                                                                                                                                                                                                                                 |
| comment  | <p>221 <span style="float: right;">comment by: <i>Swedavia AB - Swedish airports</i></span></p> <p>If an aerodrome operator is the provider of apron management services, can the operations manual be an integrated part of the aerodrome manual?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



A new point (m) has been added in ADR.OR.F.005, as follows:

'(m) When the aerodrome operator or the air traffic services provider provide apron management services, the content of the manual shall be included in the aerodrome manual or the air traffic services operations manual respectively.'

comment 271

comment by: Avinor

If an aerodrome operator is the provider of apron management services, will it need two separate certificates? What will be the situation if an aerodrome certificate is already issued? Clarification is needed.

response Accepted

Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct, to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself.

When a certified aerodrome operator decides to provide apron management services by itself, then a change to the terms of the certificate is required, and articles ADR.AR.C.040 and ADR.OR.B.040 apply.

comment 273

comment by: Avinor

If an aerodrome operator is the provider of apron management services, can the operations manual be an integrated part of the aerodrome manual?

response Accepted

A new point (m) has been added in ADR.OR.F.005, as follows:

(m) In the case that the aerodrome operator or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'

comment 337

comment by: Finavia

Comment: (2) If an aerodrome operator is the provider of apron management services, will it need two separate certificates? What will be the situation if an aerodrome certificate is already issued.

Proposed action: Clarification is needed.

response Accepted

Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct, to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the



certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself.

When a certified aerodrome operator decides to provide apron management services by itself, then a change to the terms of the certificate is required, and articles ADR.AR.C.040 and ADR.OR.B.040 apply.

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                |
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| comment  | 339                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>Finavia</i>                                     |
|          | <p>Comment: (e) If an aerodrome operator is the provider of apron management services, the necessary information of the operations manual is included in the aerodrome manual and other relevant documentation and made available for all parties concerned.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                |
| response | <p><i>Accepted</i></p> <p>A new point (m) has been added in ADR.OR.F.005, as follows:</p> <p>‘(m) In the case that the aerodrome operator or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.’</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                |
| comment  | 388                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | <p>(2) If an aerodrome operator is the provider of apron management services, will it need two separate certificates? What will be the situation if an aerodrome certificate is already issued? Clarification is needed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                |
| response | <p><i>Accepted</i></p> <p>Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct, to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself.</p> <p>When a certified aerodrome operator decides to provide apron management services by itself, then a change to the terms of the certificate is required, and articles ADR.AR.C.040 and ADR.OR.B.040 apply.</p> |                                                                |
| comment  | 389                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | <p>(e): If an aerodrome operator is the provider of apron management services, can the operations manual be an integrated part of the aerodrome manual?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                |
| response | <p><i>Accepted</i></p> <p>A new point (m) has been added in ADR.OR.F.005, as follows:</p> <p>‘(m) In the case that the aerodrome operator or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.’</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                |



comment 451

comment by: DGAC France

**Issuance of certificates****Level 1 - Fundamental comment**

The certificate model should be in part GM and not in part IR. Making the proposed model mandatory is very prescriptive and brings nothing. Furthermore, certificate models for aerodrome operators are GM, and there is no reason to make a difference with AMS providers.

Should the certificate mention the list of the several aerodromes where the AMS provider operates, or should a certificate be issued for each aerodrome ? This should be clarified in the rules. The text seems to contradict itself, as **AMC1 ADR.AR.C.035(b)(2)** (c) requires the certificate to list the several aerodromes, as well as **AMC1 ADR.OR.B.020 (b)(1);(2);(3)** which requires the applicant to provide a list of the aerodromes where the services will be provided, whereas **Appendix I of Subpart ADR.AR.A** (certificate model) mentions "NAME OF THE AERODROME" in the singular. So, appendix I contradicts both AMCs, and should be amended to mention the "name of aerodromes".

Moreover, the possibility of issuing two separate certificate concerns aerodrome operators, as stated in **ADR.AR.C.035**, new (b)(1), and has nothing to do with AMS providers. That's why **AMC1 ADR.AR.C.035 (b)(2)** entitled "ISSUANCE OF SEPARATE CERTIFICATES" should not be amended with provisions relating to AMS providers (irrelevant). A possibility would be to create a new AMC dedicated to AMS providers.

Besides, as ADR.AR.C.035 (b)(2) has become (b)(1), title of the corresponding AMC and GM should be modified to reflect this.

It is therefore proposed to amend the corresponding rules as follows :

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

[...]

(b) The Competent Authority shall issue either:

[...]

(2) when applicable, a certificate for the provider of apron management services, ~~as prescribed in Appendix I to this Part.~~

**APPENDIX I GM1 ADR.AR.C.035(b)(2) Issuance of certificates – apron management services provider**

## MODEL FOR THE CERTIFICATE

[...]

is authorised to provide apron management services at [NAME OF THE AERODROME(S)]

[...]

**GM1 ADR.AR.C.035(b)(1) Issuance of certificates – aerodrome operator**

## MODEL FOR THE SINGLE CERTIFICATE

[...]

**AMC1 ADR.AR.C.035(b)(2)(1) Issuance of certificates – aerodrome operator**

## ISSUANCE OF SEPARATE CERTIFICATES

[...]

~~(c) In case that an aerodrome operator or a provider of apron management services operates or provides services at several aerodromes, these should be listed on the aerodrome operator's or the provider of apron management services certificate.~~

**GM1 ADR.AR.C.035(b)-(2)(1) Issuance of certificates – aerodrome operator**

## MODEL FOR TWO SEPARATE CERTIFICATES

[...]

**AMC1 ADR.AR.C.035(b)(2) Issuance of certificates – apron management services provider**

In case that an aerodrome operator or a provider of apron management services operates or provides services at several aerodromes, these should be listed on the aerodrome operator's



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|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>or the provider of apron management services certificate.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Partially accepted</i></p> <p>The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate.</p> <p>The model certificate has been updated to include the possibility to list the names of the aerodromes where apron management services are provided and AMC1 ADR.OR(b)(2) has been updated as suggested.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| comment  | <p>459 <span style="float: right;">comment by: DGAC France</span></p> <p><b>Changes for non-certified AMS providers</b></p> <p><b>Level 2 – Suggestion for clarification</b></p> <p><b>Level 3 – Typographical mistake</b></p> <p>ADR.AR.C.035, (g) requires the AMS providers to define a procedure as regards changes not requiring prior approval, this procedure being subject to approbation of the Competent Authority. As this requirement is located in ADR.AR.C.035 “Issuance of certificates”, we understand it only applies to <u>certified</u> AMS providers.</p> <p>Besides, ADR.OR.B.040, (b) lists some cases of changes requiring prior approval for <u>certified</u> AMS providers.</p> <p>Thus, we infer that for <u>non-certified</u> AMS, the Competent Authority is not involved in the implementation of changes, even though non-certified providers are subject, as well as certified ones, to specifications of ADR.OR.D.005 (b)(6) concerning the handling of changes through their management system.</p> <p>The difference between requirements applying to certified and non-certified providers should be better reflected in the text, as some provisions of ADR.AR.C.040 and ADR.OR.B.040 apply in fact only to <u>certified</u> providers. It is proposed to complete ADR.AR.C.040 and ADR.OR.B.040 to indicate that both IR are not applicable to non-certified AMS providers. Furthermore, there is an editorial mistake in ADR.OR.B.040 (e), as the reference to AR.C.035(h) is erroneous.</p> <p><b>ADR.AR.C.035 Issuance of certificates</b></p> <p>[...]</p> <p>(g) To enable an aerodrome operator or a <u>certified</u> provider of apron management services</p> <p>[...]</p> <p><b>ADR.AR.C.040 Changes</b></p> <p>This implementing rule is not applicable to apron management services providers subject to declaration.</p> <p>[...]</p> <p><b>ADR.OR.B.040 Changes</b></p> <p>This implementing rule is not applicable to apron management services providers subject to declaration.</p> <p>[...]</p> <p>(e) Changes not requiring prior approval [...] in accordance with ADR.AR.C.035(h)(g).</p> <p>[...]</p> |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



The procedure refers to the certified apron management services provider, therefore, in order to make it more clear, the term 'certified' has been added in front of the 'provider of apron management services'.

Concerning the declared providers of apron management services, ADR.OR.B.060 point (a)(4) refers to changes.

Concerning the comment on ADR.OR.B.040 point (e), the references have been corrected.

comment 518 comment by: BAA Airside operations

(e): If an aerodrome operator is the provider of apron management services, can the operations manual be an integrated part of the aerodrome manual?

response *Accepted*

A new point (m) has been added in ADR.OR.F.005, as follows:

'(m) In the case that the aerodrome operator or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'

comment 552 comment by: CAA Austria - Ministry of Transport

If an aerodrome operator is the provider of apron management services, it should be made clear that the certificate for apron management service can be included into the operators' certificate. Clarification is needed.

response *Accepted*

Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.

comment 572 comment by: Belgian CAA

(c) or [ADR.OR.B.026](#) and ADR.OR.F.005 respectively.

response *Accepted*

comment 619 comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD

Attachment [#36](#)

Comment 4



## Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

## Références

- ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services

## Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable", notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

## 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

## Courtesy translation

## Field of application

## Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly



indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron  
 ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron  
 ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) (1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,  
 ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,  
 ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.

response *Noted*

ADR.OPS.D.002 requires the aerodrome operator to ensure that arrangements are in place for the management of operations on the apron. The apron management is required at any aerodrome irrespective of its size and complexity (refer also to ICAO Doc 9476). The establishment of a dedicated apron management service is a decision that has to be taken based on local conditions. For this reason, GM1 ADR.OPS.D.002 provides more information concerning the criteria that could be used.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>665 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span></p> <p>ADR.AR.C.035 (f): FOCA would ultimately prefer the issuance of renewable certificates with a fixed term of e.g. 5 years.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Not accepted</i></p> <p>As for the aerodromes and aerodrome operators, certificates are issued for an unlimited period, but they are subject to oversight.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | <p>678 <span style="float: right;">comment by: <i>ACA - Aéroports de la Côte d'Azur - NCE/LFMN</i></span></p> <p>1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :<br/>Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").<br/>In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph)<br/><i>"The establishment of a dedicated unit to provide apron management services at an apron is not a 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.</i><br/>"when applicable" or "if applicable" are used in several rules especially in the following ones :<br/>- ADR.AR.C.035 Issuance of certificates (2)<br/>- ADR.OR.C.030 Occurrence reporting (c)<br/>- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services<br/>- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)<br/>- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)<br/>- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)<br/>The question is open on witch criteria an apron management unit should be implemented<br/>2/ Could we have several apron management units on an aerodrome?<br/>The ADR.OPS.D005 lists the minimal functions to be included in the apron management service<br/>ADR.OPS.D.015 Management of aircraft movement on the apron<br/>ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron<br/>ADR.OPS.D.035 Management of vehicle movements<br/>This writingdoes not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).<br/>It is contradicted by the ADR.AR.C035 ( b ) ( 1) and ( d ) which leaves the possibility of having several certificates.<br/>3/ We also understand that if an epron management unit exist, it shall deal with a minimum :<br/>ADR.OPS.D.015 Management of aircraft movement on the apron,<br/><br/>ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,<br/>ADR.OPS.D.035 Management of vehicle movements.<br/>That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.<br/>4/ Proportional measures<br/>The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic</p> |



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|          | <p>Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <p><i>Noted</i></p> <p>ADR.OPS.D.002 requires the aerodrome operator to ensure that arrangements are in place for the management of operations on the apron. The apron management is required at any aerodrome irrespective of its size and complexity (refer also to ICAO Doc 9476). The establishment of a dedicated apron management service is a decision that has to be taken based on local conditions. For this reason, GM1 ADR.OPS.D.002 provides more information concerning the criteria that could be used.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>700 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #37</a></p> <p>champ d'application</p> <p>Objet<br/>Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.AR.C035 (b)(1) et (d) Issuance of certificates</li> <li><input type="checkbox"/> ADR.OPS.D.001 Provision of services</li> <li><input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services</li> </ul> <p>Commentaires</p> <p>1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation. En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided"). A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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. De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car Il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.</p> <ul style="list-style-type: none"> <li>- ADR.AR.C.035 Issuance of certificates (2)</li> <li>- ADR.OR.C.030 Occurrence reporting (c)</li> <li>- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services</li> <li>- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)</li> <li>- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)</li> <li>- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)</li> </ul> <p>2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.</p> <p>3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :</p> |



- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)  
 - la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)  
 - la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),  
 Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

### 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) ( 1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,



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|          | <p>ADR.OPS.D.035 Management of vehicle movements.<br/>That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.<br/>4/ Proportional measures<br/>The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.</p>                                                                                                        |
| response | <p><i>Noted</i></p> <p>ADR.OPS.D.002 requires the aerodrome operator to ensure that arrangements are in place for the management of operations on the apron. The apron management is required at any aerodrome irrespective of its size and complexity (refer also to ICAO Doc 9476). The establishment of a dedicated apron management service is a decision that has to be taken based on local conditions. For this reason, GM1 ADR.OPS.D.002 provides more information concerning the criteria that could be used.</p>                                                                                                                                                                                                                                                                                            |
| comment  | <p>763 <span style="float: right;">comment by: <i>HIA - Highlands and Islands Airports Limited</i></span></p> <p>Item (b)(1) Presumably where the aerodrome and aerodrome operator are the same this would be a single certificate and part of the overall certification.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Accepted</i></p> <p>Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.</p> |
| comment  | <p>786 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span></p> <p>If an aerodrome operator is the provider of apron management services, specify that only one certificate is needed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Accepted</i></p> <p>Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.</p> |



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| comment  | 787                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | If an aerodrome operator is the provider of apron management services, can the operations manual be an integrated part of the aerodrome manual?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                           |
|          | A new point (m) has been added in ADR.OR.F.005, as follows:<br>'(m) In the case that the aerodrome operator or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                           |
| comment  | 846                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>Flughafen Düsseldorf GmbH</i>                              |
|          | In Germany, executive acts are normally addressed to a natural or a juristic person, not to an aerodrome                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                           |
| comment  | 851                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i>    |
|          | (b)(2)<br>When the AMS is entirely provided by the aerodrome operator does the latter need to obtain a separate certificate as AMS provider of that aerodrome? EASA stated in the Explanatory Note, par. 2.3.4.4, that the rules are not expected to impact significantly on the aerodrome operators (that also provide AMS) because the services are included under their certificate but this position/option is not clearly reflected in the proposed set of rules regarding the issuance of certificates. Is it possible to provide clarification at least in appropriate GM?                                                                                                                                                                                                       |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                           |
|          | Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so. |                                                                           |
| comment  | 852                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i>    |
|          | (e)<br>When the AMS is entirely provided by the aerodrome operator might the operation manual be incorporated in the aerodrome manual? See also former comment on ADR.AR.C.035 (b)(2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                           |



A new point (m) has been added in ADR.OR.F.005, as follows:  
 '(m) In the case that the aerodrome operator or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'

comment 918 comment by: *The Civil Aviation Authority*

There should be specified if (in case that apron management services are provided by the aerodrome operator in cooperation with ATS), aerodrome operator (as an applicant), shall provide the Competent Authority with the information and documentations required in ADR.OR.B.020 during aerodrome certification process.  
 The most important is whether a separate Operation Manual shall be provided. In accordance with ADR.OR.F.005 comment – in our opinion Operation Manual should be a part of Aerodrome Manual (if aerodrome operator provides apron management services) – this must be clearly mentioned in the new regulation.  
 This comment is connected with Polish CAA comment to Article 1 of regulation (NPA 2013-24) to add new term defined in Commission Regulation No 139/2014.

response *Accepted*

When the aerodrome operator undertakes the provision of apron management services, then the applicable article is ADR.OR.B.15. The aerodrome manual should cover the provision of apron management services as well. For that reason, when the aerodrome operator is the provider of apron management services, then a separate manual is not required. A new point (m) has been added in ADR.OR.F.005 as follows:  
 '(m) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'

comment 997 comment by: *Turin Airport - TRN/LIMF*

If an aerodrome operator is the provider of apron management services, specify that only one certificate is needed.

response *Accepted*

Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself. However, following the consultation, the option is given to the aerodrome operator to request a separate certificate if it wishes so.

comment 998 comment by: *Turin Airport - TRN/LIMF*

If an aerodrome operator is the provider of apron management services, can the operations



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| response | <p>manual be an integrated part of the aerodrome manual?</p> <p><i>Accepted</i></p> <p>A new point (m) has been added in ADR.OR.F.005, as follows:</p> <p>‘(m) In the case that the aerodrome operator or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.’</p> |
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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — ADR.AR.C.040 Changes</b> | p. 14-15 |
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| comment | <p>156</p> <p>comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></p> <p>see above:</p> <p>The mention of the self-declaration is missing.</p> <p>Therefore only certified AMSPs would be subject to this provision.</p> |
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| response | <p><i>Noted</i></p> <p>Article ADR.AR.C.040 refers to certified apron management services providers. The word ‘certified’ has been included for clarity. For declared organisations, articles ADR.AR.C.050 and ADR.OR.B.060 apply. Concerning the changes, point (a)(4) in the latter article is applicable.</p> |
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| comment | <p>459 ❖</p> <p style="text-align: right;">comment by: <i>DGAC France</i></p> <p><b>Changes for non-certified AMS providers</b></p> <p><b>Level 2 – Suggestion for clarification</b></p> <p><b>Level 3 – Typographical mistake</b></p> <p>ADR.AR.C.035, (g) requires the AMS providers to define a procedure as regards changes not requiring prior approval, this procedure being subject to approbation of the Competent Authority. As this requirement is located in ADR.AR.C.035 “Issuance of certificates”, we understand it only applies to <u>certified</u> AMS providers.</p> <p>Besides, ADR.OR.B.040, (b) lists some cases of changes requiring prior approval for <u>certified</u> AMS providers.</p> <p>Thus, we infer that for <u>non-certified</u> AMS, the Competent Authority is not involved in the implementation of changes, even though non-certified providers are subject, as well as certified ones, to specifications of ADR.OR.D.005 (b)(6) concerning the handling of changes through their management system.</p> <p>The difference between requirements applying to certified and non-certified providers should be better reflected in the text, as some provisions of ADR.AR.C.040 and ADR.OR.B.040 apply in fact only to <u>certified</u> providers. It is proposed to complete ADR.AR.C.040 and ADR.OR.B.040 to indicate that both IR are not applicable to non-certified AMS providers. Furthermore, there is an editorial mistake in ADR.OR.B.040 (e), as the reference to AR.C.035(h) is erroneous.</p> <p><b>ADR.AR.C.035 Issuance of certificates</b></p> <p>[...]</p> <p>(g) To enable an aerodrome operator or a <u>certified</u> provider of apron management services</p> |
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|          | <p>[...]<br/> <b>ADR.AR.C.040 Changes</b><br/> This implementing rule is not applicable to apron management services providers subject to declaration.</p> <p>[...]<br/> <b>ADR.OR.B.040 Changes</b><br/> This implementing rule is not applicable to apron management services providers subject to declaration.</p> <p>[...]<br/> (e) Changes not requiring prior approval [...] in accordance with ADR.AR.C.035(h)(g).<br/> [...]</p>                    |
| response | <p><i>Accepted</i></p> <p>The procedure refers to certified apron management service provider, therefore, in order to make it more clear, the term ‘certified’ has been added in front of the ‘provider of apron management services’.</p> <p>Concerning the declared providers of apron management services, ADR.OR.B.060 point (a)(4) refers to changes.</p> <p>Concerning the comment on ADR.OR.B.040 point (e), the references have been corrected.</p> |

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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — ADR.AR.C.050 Declarations of providers of apron management services</b> | p. 15 |
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| comment  | <p>461</p> <p style="text-align: right;">comment by: DGAC France</p> <p><b>Redundancy between ADR.AR.C.050 (c) and ADR.AR.B.020 (b)</b><br/> <b>Level 2 – Suggestion for clarification</b><br/> ADR.AR.C.050 “declaration of providers of apron management services”, point (c), requires the Competent Authority to keep a register of the declarations of AMS providers under its oversight.<br/> ADR.AR.B.020 “record-keeping”, point (b), already requires the Competent Authority to maintain a list of all declarations it received.<br/> Hence, ADR.AR.C.050 (c) is already covered by ADR.AR.B.020, is therefore useless and should be deleted.<br/> <b>ADR.AR.C.050 Declarations of providers of apron management services</b><br/> [...]<br/> <del>(c) The Competent Authority shall keep a register of the declarations of providers of apron management services under its oversight.</del></p> |
| response | <p><i>Accepted</i></p> <p>Point (c) of ADR.AR.C.050 has been deleted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — ADR.AR.C.055 Findings, observations, corrective actions and enforcement measures</b> | p. 15 |
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|          |                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                             |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 163                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre</i> |
|          | Check wording:<br>"Any findings raised or observations made <b>to</b> a provider..."                                                                                                                                                                                                                                                                                        |                                                                                                                                             |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                             |
| comment  | 258                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>Nordic ADR Group (NO, SE, DK, FI, IC &amp; EE)</i>                                                                           |
|          | ADR.AR.C.055:<br>Is Appendix 1 a part of the ARD.AR.C.005? If yes, we strongly recommend moving the Appendix 1 to an AMC. The layout of a certificate should not be an implementing rule. If it must be an implementing rule, we recommend only specifying the content of the certificate, not the layout.                                                                  |                                                                                                                                             |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                             |
|          | The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate. |                                                                                                                                             |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex II — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — APPENDIX I**

p. 15

|          |                                                                                                                                                                                                                                                                                                                                                                             |                                                                      |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| comment  | 15                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Amsterdam Airport Schiphol - AMS/EHAM (and D.A.A)</i> |
|          | This appendix should be included at GM level.                                                                                                                                                                                                                                                                                                                               |                                                                      |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                         |                                                                      |
|          | The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate. |                                                                      |
| comment  | 31                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>CAA-NL</i>                                            |
|          | Please delete Appendix I from the Part and transfer this to the Guidance Material.                                                                                                                                                                                                                                                                                          |                                                                      |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                         |                                                                      |
|          | The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate. |                                                                      |



|          |                                                                                                                                                                                                                                                                                                                                                                             |                                                                |
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| comment  | 84                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>           |
|          | Move Appendix I to GM. Competent Authorities should be flexible in terms of the form of the certificates.                                                                                                                                                                                                                                                                   |                                                                |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                         |                                                                |
|          | The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate. |                                                                |
| comment  | 105                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>ADV - German Airports Association</i>           |
|          | Move the appendix to GM. Competent Authorities should be flexible in terms of the form of the certificates.                                                                                                                                                                                                                                                                 |                                                                |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                         |                                                                |
|          | The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate. |                                                                |
| comment  | 274                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>Avinor</i>                                      |
|          | Move the appendix to GM. Competent Authorities should be flexible in terms of the form of the certificates.                                                                                                                                                                                                                                                                 |                                                                |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                         |                                                                |
|          | The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate. |                                                                |
| comment  | 390                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | Move the appendix to GM. Competent Authorities should be flexible in terms of the form of the certificates.                                                                                                                                                                                                                                                                 |                                                                |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                         |                                                                |
|          | The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate. |                                                                |



comment 451 ❖

comment by: DGAC France

**Issuance of certificates****Level 1 - Fundamental comment**

The certificate model should be in part GM and not in part IR. Making the proposed model mandatory is very prescriptive and brings nothing. Furthermore, certificate models for aerodrome operators are GM, and there is no reason to make a difference with AMS providers.

Should the certificate mention the list of the several aerodromes where the AMS provider operates, or should a certificate be issued for each aerodrome ? This should be clarified in the rules. The text seems to contradict itself, as **AMC1 ADR.AR.C.035(b)(2)** (c) requires the certificate to list the several aerodromes, as well as **AMC1 ADR.OR.B.020 (b)(1);(2);(3)** which requires the applicant to provide a list of the aerodromes where the services will be provided, whereas **Appendix I of Subpart ADR.AR.A** (certificate model) mentions "NAME OF THE AERODROME" in the singular. So, appendix I contradicts both AMCs, and should be amended to mention the "name of aerodromes".

Moreover, the possibility of issuing two separate certificate concerns aerodrome operators, as stated in **ADR.AR.C.035**, new (b)(1), and has nothing to do with AMS providers. That's why **AMC1 ADR.AR.C.035 (b)(2)** entitled "ISSUANCE OF SEPARATE CERTIFICATES" should not be amended with provisions relating to AMS providers (irrelevant). A possibility would be to create a new AMC dedicated to AMS providers.

Besides, as ADR.AR.C.035 (b)(2) has become (b)(1), title of the corresponding AMC and GM should be modified to reflect this.

It is therefore proposed to amend the corresponding rules as follows :

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

[...]

(b) The Competent Authority shall issue either:

[...]

(2) when applicable, a certificate for the provider of apron management services, ~~as prescribed in Appendix I to this Part.~~

**APPENDIX I GM1 ADR.AR.C.035(b)(2) Issuance of certificates – apron management services provider**

MODEL FOR THE CERTIFICATE

[...]

is authorised to provide apron management services at [NAME OF THE AERODROME(S)]

[...]

**GM1 ADR.AR.C.035(b)(1) Issuance of certificates – aerodrome operator**

MODEL FOR THE SINGLE CERTIFICATE

[...]

**AMC1 ADR.AR.C.035(b)(2)(1) Issuance of certificates – aerodrome operator**

ISSUANCE OF SEPARATE CERTIFICATES

[...]

~~(c) In case that an aerodrome operator or a provider of apron management services operates or provides services at several aerodromes, these should be listed on the aerodrome operator's or the provider of apron management services certificate.~~

**GM1 ADR.AR.C.035(b)(2)(1) Issuance of certificates – aerodrome operator**

MODEL FOR TWO SEPARATE CERTIFICATES

[...]

**AMC1 ADR.AR.C.035(b)(2) Issuance of certificates – apron management services provider**

In case that an aerodrome operator or a provider of apron management services operates or provides services at several aerodromes, these should be listed on the aerodrome operator's



or the provider of apron management services certificate.

response *Partially accepted*

The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate.

If the provider of apron management services is providing services in more than one aerodrome, the aerodromes will be included in the terms of the certificate.

comment 480

comment by: UK CAA

**Page No: 15**

**Paragraph No: Appendix 1 – AMS Certificate**

**Comment:** This Appendix appears to suggest that either the state in which the apron management service provider (AMSP) resides or the state in which it is operating can issue the certificate. This could mean that a Competent Authority can give an organisational approval to an AMSP to operate at aerodromes in a different country. The UK suggests another state can approve an AMSP but not to operate at a specific airport outside its boundary, and that the Competent Authority should issue any certificate to operate at an aerodrome within its state should such a certificate be required. This is consistent with the two-certificate principle in the Aerodrome Regulation (139/2014). It may be that it would be better that the Certificate be changed to remove the reference to a specific aerodrome.

Some clarification is required about who conducts the oversight – this could be achieved by AMC or GM detailing the responsibilities for the Competent Authorities (as well as for organisations at the aerodrome).

**Justification:** The CA in the state which the AMSP operates should be the authoriser and overseer.

response *Not accepted*

The certificate is always issued by the Competent Authority of the Member State where the apron management services provider has its principal place of business (see revised ADR.AR.A.005). Since the provider is able to move from one aerodrome to another and from one Member State to another, it is more appropriate to have a standardised form for the certificate, therefore, the model certificate has been included into the Implementing Rule. Concerning the oversight function, this is also the responsibility of the certifying authority, however, if a provider is operating at another Member State, it may agree to have oversight tasks performed by the authority of the Member State where services are provided (see also revised ADR.AR.C.005). This concept already applies to air operations and flight crew licensing.

comment 532

comment by: Swedish Transport Agency

Is Appendix 1 a part of the ARD.AR.C.005? If yes, we strongly recommend moving the Appendix 1 to an AMC. The layout of a certificate should not be an implementing rule. If it must be an implementing rule, we recommend only specifying the content of the certificate, not the layout.



|          |                                                                                                                                                                                                                                                                                                                                                                                                 |
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| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                             |
|          | The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate.                     |
| comment  | 573 <span style="float: right;">comment by: <i>Belgian CAA</i></span>                                                                                                                                                                                                                                                                                                                           |
|          | Does an Apron Management Service provider receive a certificate per airport? What authority is responsible for issuing the certificate?                                                                                                                                                                                                                                                         |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                    |
|          | The proposal is that the apron management services provider receives only one certificate. The list of the aerodromes where it provides its services will be included in the terms of the certificate. The certificate will be issued by the Competent Authority of the Member State where it has its principal place of business (see also revised ADR AR.A.005).                              |
| comment  | 666 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span>                                                                                                                                                                                                                                                                                                 |
|          | "This certificate shall remain valid for an unlimited duration unless it is surrendered, <b>suspended</b> or revoked." FOCA suggests to add as follows: "The scope of the certificates validity may be restricted or made subject to conditions precedent or subsequent."                                                                                                                       |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                             |
|          | As for the aerodromes and aerodrome operators, certificates are issued for an unlimited period, but they are subject to oversight.                                                                                                                                                                                                                                                              |
| comment  | 667 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span>                                                                                                                                                                                                                                                                                                 |
|          | FOCA suggests to delete the certificate template and instead to add the required content for the certificate (in accordance with e.g. Regulation EU 805/2011). Justification: Template layouts should be defined by the respective Competent Authority. If any parts of the certificate need to be published mandatorily, they should be defined according to Regulation (EU) 805/2011 Annex IV |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                             |
|          | The Agency has already published Opinion No 11/2013 on licensing and medical certification of air traffic controllers, where the layout of the certificate has been included as an Appendix to the Implementing Rule. The regulation stemming from this Opinion will repeal Regulation (EU) No 805/2011.                                                                                        |
| comment  | 788 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span>                                                                                                                                                                                                                                                                                |
|          | Move the appendix to GM. Competent Authorities should be flexible in terms of the form of the certificates.                                                                                                                                                                                                                                                                                     |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                             |



The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate.

comment 855 comment by: *ENAC Ente Nazionale per l'Aviazione Civile (Italia)*

Is the Appendix 1 a binding provision? If yes, why the level of the provision is not consistent with the one foreseen for the aerodrome certificate form (under GM1 ADR.AR.C.035(b)(1))? Is this position of EASA related to the mutual recognition of the certificates?

response *Noted*

The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate.

comment 910 comment by: *Airport Zurich*

**Comment:**

Move the appendix to the GM.

**Justification:**

Competent Authorities should be flexible in the form of the certificates.

Comment by: ZRH/OF

response *Not accepted*

The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate.

comment 942 comment by: *Airport Zurich*

**Comment:**

If an aerodrome operator is the provider of apron management services, will it need two separate certificates? What will be the situation if an aerodrome certificate is already issued?



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|          | <p><b>Justification:</b><br/>Clarification is needed.<br/><u>Comment by:</u> ZRH/OF</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Accepted</i></p> <p>Regulation (EU) No 139/2014 and more specifically ADR.AR.C.035 Issuance of certificates, point (e), requires the privileges of the activities that the aerodrome operator is approved to conduct, to be included in the terms of the certificate. If the aerodrome operator decides to provide apron management services by itself, this activity shall be included in the terms of the certificate. Additionally, GM1 ADR.AR.C.035(f) contains a model for the terms of the certificate where apron management services are included. Therefore, a second certificate is not required for an aerodrome operator that provides the service itself.</p> <p>When a certified aerodrome operator decides to provide apron management services by itself, then a change to the terms of the certificate is required and articles ADR.AR.C.040 and ADR.OR.B.040 apply.</p> |
| comment  | <p>999 <span style="float: right;">comment by: <i>Turin Airport - TRN/LIMF</i></span></p> <p>Move the appendix to GM. Competent Authorities should be flexible in terms of the form of the certificates.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Not accepted</i></p> <p>The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART A — GENERAL REQUIREMENTS (ADR.OR.A) — ADR.OR.A.010 Competent Authority**

p. 16

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| comment | <p>32 <span style="float: right;">comment by: <i>CAA-NL</i></span></p> <p><u>ADR.OR.A.010-(b):</u><br/>This paragraph creates a dual oversight function for as well the Competent Authority who issues the certificate or registered the declaration and the Competent Authority responsible for the oversight of aerodrome related activities in the Member State where the services are provided. We do not agree with this division of responsibilities between the Competent Authorities. The Competent Authority responsible for certification or registration of the declaration should be overall responsible for the provider of apron management services and may agree to have oversight tasks performed by other Competent Authorities of Member States where provision of apron management services takes place. If so these will report to</p> |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



the issuing authority, this as we also discussed in the special AGNA some time ago on cooperative and collective oversight.

Our suggestion would be:

'For the purpose of this Annex, the competent authority exercising oversight over apron management services providers subject to a certification or declaration obligation shall be for organisations having their principal place of business in a Member State, the authority designated by that Member State.'

ADR.OR.A.010-(b):

As a organisation declaring its activities is not subject to prior approval this is also the case for Alternative Means of Compliance. Please add a statement related to this like in the similar case in the OPS regulation:

'An operator required to declare its activity shall notify to the competent authority the list of alternative means of compliance it uses to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules.'

response *Partially accepted*

The first proposal has been accepted with a slightly modified text as follows:

'For the purpose of this Part, the Competent Authority for aerodromes, aerodrome operators and providers of apron management services having their principal place of business in that Member State or declaring their activity, shall be the one designated by the Member State where the aerodrome is located.'

The second comment is **not accepted** since it is already included in Regulation (EU) No 139/2014 (ADR.OR.B.060 point (a)(2)).

comment *47* comment by: *Flughafen Berlin Brandenburg GmbH*  
Clarification is needed for the case where different authorities disagree.

response *Accepted*  
The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'

comment *106* comment by: *ADV - German Airports Association*



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p>(b) Which Competent Authority will be responsible if the different authorities disagree? Clarification is needed. (see also comment on ADR.AR.A.005)</p> <p><i>Accepted</i></p> <p>The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.</p> <p>Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:</p> <p>'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>194 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p><a href="#">Attachment #38</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Application du certificat et fin des opérations.<br/>Références<br/> <ul style="list-style-type: none"> <li>☑ ADR.OR.A.010 Competent Authority (b)</li> <li>☑ ADR.OR.B.020 Application for a certificate</li> <li>☑ ADR.OR.B.070 (b) Termination of operation - providers of apron management service</li> </ul> Commentaires<br/> Selon l'ADR.OR.A.010 Competent Authority (b) nous comprenons que lorsqu'une entreprise se situe dans un pays et opère dans un autre pays, il est suffisant d'avoir un seul certificat ou d'être déclaré, et donc qu'un certificat par aérodrome n'est pas nécessaire<br/> De même, l'ADR.OR.B.020 (5) Application for a certificate prévoit la nomination par le prestataire de service de gestion d'aire de trafic d'un accountable manager. Or celui-ci peut se trouver dans un autre pays que celui où est fournie la prestation de gestion d'aire de trafic, si celui-ci a été certifié dans un autre pays, nous pensons que la position de ce responsable ne conduit pas à avoir une vraie politique de développement de la sécurité.<br/> ☑ Fin des opérations et validité du certificat :<br/> L'ADR.OR.B.070 (b)(1) Termination of operation - providers of apron management service, impose à l'exploitant d'aérodrome de veiller à la continuité du service et de s'assurer de la continuité de la gestion d'aire de trafic. Cette règle impose d'avoir une autre entité tierce certifiée pour palier la fin d'activité du prestataire sortant. Cette IR ne prévoit pas le cas où le service de gestion d'aire de trafic ne serait plus rendu, ce qui laisse sous-entendre que ce service serait obligatoire sur tous les aérodromes européens entrant dans le champ du règlement (CE) N°216/2008 (cf. fiche n°4). Il faut avoir prévu, comme dans l'IR</p> |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|          | <p>ADR.OR.B.065 du règlement (UE) N°139/2014 le cas d'une fin de prestation du service.<br/>Proposition<br/>ADR.OR.B.070 (b) Termination of operation - providers of apron management service<br/>Supprimer b) 1et b) 2</p> <p>Courtesy translation<br/>Certificat implementation<br/>Comments<br/>According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.<br/>In this case, the coordination between the competent authorities is not provided. We have doubts about the implementation of rules which requires coordination with competent authorities.<br/>☑ End of operations and the validity of the certificate:<br/>ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to make sure the continuity of apron management services. These rules oblige to have another third entity and fully qualified to replace the termination of the previous company, in most of the cases, it will be the operator who will do this.<br/>It is necessary to have the same writing as the IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.<br/>Proposal<br/>ADR.OR.B.070 (b) Termination of operation - providers of apron management service<br/>Delete b) 1) and b) 2)</p> |
| response | <p><i>Noted</i></p> <p>According to the the Basic Regulation, certificates issued in accordance with the provisions of the said Regulation and its Implementing Rules are mutually recognised. Concerning the coordination between the Competent Authorities of different Member States when a certified provider of apron management services operates at aerodromes in different Member States, please refer to point (g) in ADR.AR.C.005.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>275 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>Which Competent Authority will be responsible if the different authorities disagree?<br/>Clarification is needed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| response | <p><i>Accepted</i></p> <p>The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.</p> <p>Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:<br/>'(g) Where a certified provider of apron management service provides services at</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'

comment 391 comment by: ACI EUROPE (Airports Council International)

(b): Which Competent Authority will be responsible if the different authorities disagree? Clarification is needed.

response *Accepted*

The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'

comment 421 ❖ comment by: DGAC France

**Certification or declaration of a provider for services provided in different Member States**  
**Level 1 - Fundamental comment**

According to the Basic regulation, apron management services providers may either be :

- certified (cf Article 8a, para 2.d) : this stands for the normal case ; or
- subject to declaration (cf Article 8a, para 2.e), if the Member state where the aerodrome is located so decides.

Thus, the choice made by the Member State between certification or declaration seems to have no link with the "principal place of operation" of the AMS provider quoted in ADR.AR.A.005. Besides, no definition has been provided for this concept.

Moreover, in case the Member State decides to certify an AMS provider, the certificate will be delivered for the provision of services at a specific aerodrome (or several specific aerodromes), as stated in the Basic regulation, Article 8a, para 2.a : "*a certificate [delivered to an organisation responsible for the operation of aerodromes, as para 2.d mentions] shall be required in respect of each aerodrome*". Besides, this is in line with the certificate model for AMS providers as shown in this NPA (cf Appendix I), which mentions the name of the aerodrome where the provider intends to operate : "*[THE COMPETENT AUTHORITY OF THE MEMBER STATE] hereby certifies that : [PROVIDER OF APRON MANAGEMENT SERVICES COMPANY AND ADDRESS] is authorised to provide apron management services at [NAME OF THE AERODROME]*".



Hence, if the provider operates at aerodromes of several States, it will hold several certificates/make several declarations, each one being delivered/registered by the Competent authority of the corresponding State. This is exactly the same principle as for certification of an aerodrome operator, in case the latter operates at several aerodromes located in different Member States. A certificate is delivered in each Member State for a given (list of) aerodrome(s) ; operating in several States means having several certificates. Holding already a certificate for the operation or provision of AMS at an aerodrome may be an asset to obtain a second certificate in another Member state, however this is not a sufficient condition, as the operating procedures must take into account local specificities of the aerodrome.

In order to better reflect the Basic regulation principles mentioned above, we propose to rephrase ADR.AR.A.005 and ADR.OR.A.010 (b) as follows :

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

(a) The Competent Authority designated by the Member State in which an aerodrome is located, shall be responsible for the:

- (1) certification and oversight of aerodromes and its aerodrome operators;
- (2) certification and oversight of providers of apron management services providing services at this aerodrome having their principal place of operation in that Member State;
- (3) registration of declarations from and oversight of providers of apron management services providing services at this aerodrome aerodromes located in that Member State. , if the Member State has decided to derogate by accepting a declaration according to the Basic regulation, article 8a, para 2.e.

~~(b) When an apron management services provider provides services in more than one Member State, the Competent Authorities for oversight shall be both the Competent Authority who issued the certificate or registered the declaration and the Competent Authority responsible for the oversight of aerodrome related activities in the Member State where the services are provided.~~

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

[...]

~~(b) For apron management services providers providing services in more than one Member State, the Competent Authorities for oversight shall be both the Competent Authority who issued the certificate or registered the declaration and the Competent Authority responsible for the oversight of aerodrome activities in the Member State where such services are provided.~~

response *Not accepted*

Article 11 of the Basic Regulation requires the mutual recognition of certificates issued in accordance with the said Regulation, therefore, it is not appropriate to require new certificates if the apron management services provider provides services at aerodromes in another Member State. This is not applicable for the declarations which are not mutually recognised.

The term ‘principal place of operation’ has been replaced by the term ‘principal place of business’ which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:

‘Principal place of business’ means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.’

The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority



to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulations (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.

Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'

comment

463

comment by: DGAC France

### Competent Authorities for AMS providers

#### Level 2 – Suggestion for clarification

As stated in the Explanatory note, para 2.3.1.1, apron management services can be provided either by the aerodrome operator, by the air traffic services or by a third party.

In case they are provided by the aerodrome operator, the Competent Authority for apron management services could be the same as for the aerodrome operator. The Competent Authority for the aerodrome operator may also be the one designated for AMS in case AMS are provided by a third party.

However, in case apron management services are provided by air traffic services, the Member State can consider it more convenient to designate as a Competent Authority the one which is responsible for air traffic services. Indeed, ATS and AMS providers being the same entity, they will have a lot in common as regards procedures (relating to their management system, for example). In this sense, an oversight of both ATS and AMS by the same Competent Authority would bring some efficiency. In fact, it will depend on the decision of the Member State according to local situations. But anyway, the possibility should be given to have a Competent Authority for AMS which is different from the Competent Authority for aerodrome operations.

It is therefore proposed to rephrase ADR.OR.A.010 (a), and to introduce a new guidance :

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

(a) For the purpose of this Part, the Competent Authority(ies) for aerodromes, aerodrome operators and providers of apron management services shall be the one(s) designated by the Member State where the aerodrome is located.

[...]

#### GM1 ADR.OR.A.010 (a) Competent Authority

#### PROVISION OF APRON MANAGEMENT SERVICES BY PROVIDERS OTHER THAN AERODROME OPERATORS

The Competent Authority designated by the Member State for a provider of apron management services may be different from the Competent Authority designated for the aerodrome operator established at the same aerodrome, depending on the attribution of responsibilities specific to that aerodrome.

response

Noted

The certificate is always issued by the Competent Authority of the Member State where the



apron management services provider has its principal place of business (see revised ADR.AR.A.005). Since the provider is able to move from one aerodrome to another and from one Member State to another, it is more appropriate to have a standardised form for the certificate, therefore, the model certificate has been included into the Implementing Rule. Concerning the oversight function, this is also the responsibility of the certifying authority; however, if a provider is operating at another Member State, it may agree to have oversight tasks performed by the authority of the Member State where services are provided (see also revised ADR.AR.C.005). This concept already applies to air operations and flight crew licensing.

comment

481

comment by: UK CAA

**Page No: 16****Paragraph No: ADR.OR.A.010 Competent Authority, sub-paragraphs (a) and (b)**

**Comment:** UK CAA suggests these paragraphs create potential conflict for oversight responsibility between two Competent Authorities. It is suggested that guidance material is needed to indicate the scope and level of oversight that each Competent Authority is expected to undertake. (UK CAA comment against Appendix 1 on page 15 also refers)

response

*Noted*

The certificate is always issued by the Competent Authority of the Member State where the apron management services provider has its principal place of business (see revised ADR.AR.A.005). Since the provider is able to move from one aerodrome to another and from one Member State to another, it is more appropriate to have a standardised form for the certificate, therefore the model certificate has been included into the Implementing Rule. Concerning the oversight function, this is also the responsibility of the certifying authority, however if a provider is operating at another Member State, it may agree to have oversight tasks performed by the authority of the Member State where services are provided (see also revised ADR.AR.C.005). This concept already applies to air operations and flight crew licensing.

comment

575

comment by: Belgian CAA

See comments to ADR.AR.A.005.

response

*Accepted*

The term 'principal place of operation' has been replaced by the term 'principal place of business' which is used in Regulation (EC) No 2042/2003. The definition of the principal place of business, in accordance also with Regulation (EC) No 2042/2003, is the following:

'Principal place of business' means the head office or the registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised.'

comment

638

comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD

Attachment [#39](#)

Comment 8



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>Courtesy translation<br/>Certificat implementation<br/>Comments</p> <p>According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.</p> <p>In this case, the coordination between the competent authorities is not provided. We have doubts about the implementation of rules which requires coordination with competent authorities.</p> <p><input checked="" type="checkbox"/> End of operations and the validity of the certificate:<br/>ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to make sure the continuity of apron management services. These rules oblige to have another third entity and fully qualified to replace the termination of the previous company, in most of the cases, it will be the operator who will do this.</p> <p>It is necessary to have the same writing as the IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.</p> <p>Proposal<br/>ADR.OR.B.070 (b) Termination of operation - providers of apron management service<br/>Delete b) 1) and b) 2)</p> |
| response | <p><i>Noted</i></p> <p>According to the The Basic Regulation certificates issued in accordance with the provisions of the said Regulation and its Implementing Rules are mutually recognised. Concerning the coordination between the Competent Authorities of different Member States, when a certified provider of apron management services operates at aerodromes in different Member States, please refer to point (g) in ADR.AR.C.005.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>736 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #40</a></p> <p>Application du certificat et fin des opérations</p> <p>Courtesy translation<br/>Certificat implementation<br/>Comments</p> <p>According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.</p> <p>In this case, the coordination between the competent authorities is not provided. We have doubts about the implementation of rules which requires coordination with competent authorities.</p> <p><input type="checkbox"/> End of operations and the validity of the certificate:<br/>ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to make sure the continuity of apron management services. These rules oblige to have another third entity and fully qualified to replace the termination of the previous company, in most of the cases, it will be the operator who will do this.</p> <p>It is necessary to have the same writing as the IR ADR.OR.B.065 of the regulation (EU) n°139 /</p>                                             |



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|          | <p>2014 which plans a clear process in the case of the end of operation for an aerodrome.<br/>Proposal<br/>ADR.OR.B.070 (b) Termination of operation - providers of apron management service<br/>Delete b) 1) and b) 2)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Noted</i></p> <p>According to the The Basic Regulation certificates issued in accordance with the provisions of the said Regulation and its Implementing Rules are mutually recognised. Concerning the coordination between the Competent Authorities of different Member States, when a certified provider of apron management services operates at aerodromes in different Member States, please refer to point (g) in ADR.AR.C.005.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>789 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span></p> <p>Which Competent Authority will be responsible if the different authorities disagree?<br/>Clarification is needed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <p><i>Accepted</i></p> <p>The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulation (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.</p> <p>Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:</p> <p>‘(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.’</p> |
| comment  | <p>857 <span style="float: right;">comment by: <i>ENAC Ente Nazionale per l’Aviazione Civile (Italia)</i></span></p> <p>(b)<br/>See former comment on ADR.AR.A.005 Competent Authority (b). Which Competent Authority is responsible to take the final decision in case of conflict/disagreement?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Accepted</i></p> <p>The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulation (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.</p> <p>Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:

'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'

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| comment  | <p>1000</p> <p>comment by: <i>Turin Airport - TRN/LIMF</i></p> <p>Which Competent Authority will be responsible if the different authorities disagree? Clarification is needed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| response | <p><i>Accepted</i></p> <p>The responsibility for the certified apron management services provider always remains with the Competent Authority that issued the certificate. However, it is possible for this Authority to agree that the Competent Authority of the host Member State performs oversight tasks subject to an agreement. It is expected that this agreement will refer also to the resolution of disagreements. The same concept is used in Regulation (EU) Nos 965/2012 and 290/2012 and Regulation (EC) No 2042/2003.</p> <p>Point (b) has been deleted from this article and transferred to ADR.AR.C.005 Oversight, as point (g). The proposed point (g) follows the same logic already established in Regulation (EU) No 290/2012. Point (g) reads as follows:</p> <p>'(g) Where a certified provider of apron management service provides services at aerodromes located in more than one Member State, the Competent Authority for the oversight under (a) may agree to specific alternative oversight arrangements with the Competent Authority(ies) of the Member State(s) where the provision of the apron management service takes place. Any provider of apron management service subject to such agreement shall be informed of its existence and of its scope.'</p> |

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| <p><b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART B — CERTIFICATION (ADR.OR.B) — ADR.OR.B.005 Certification obligations of aerodromes, and aerodrome operators and providers of apron management services</b></p> | p. 16 |
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|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| comment  | <p>97</p> <p>comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></p> <p>It is very important to have the possibility for AMSPs to declare their compliance with the provisions laid out in this NPA. However, it remains entirely unclear which AMSPs are "subject to declaration". There is an obvious need for further clarification in this regard both in the IRs and the AMC/GM.</p> <p>This goes for this specific provision (ADR.OR.B.005) as well as for the entirety of the document, which should be reviewed to better provide for the "tool" self-declaration.</p> |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



Article 8a.(e) of the Basic Regulation allows Member States to derogate from Article 8a.(d) and accept declarations from apron management services providers. Since this decision is the sole responsibility of the Member State, the Agency does not provide such criteria.

However, the Agency has developed the necessary Implementing Rules and the required AMC and GM for the certification or declaration of apron management services providers.

comment

172

comment by: *Union des Aéroports français - UAF*Attachment [#41](#)

Please find attached Union des Aéroports Français (UAF) comments

**Objet**

Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?

**Références**

- Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.
- Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aérodromes.
- ADR.AR.A.005 (a) Competent Authority
- ADR.OR.B.005 (b) Certification obligations of aerodromes, and aerodrome operators and providers of apron management services
- ADR.OR.B.060 Declaration of providers of apron management services

**Commentaires**

La NPA ne définit pas clairement si le prestataire de service de gestion d'aire de trafic est soumis à déclaration ou à certification.

Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aire de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.

En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aire de trafic.

Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aire de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " Declaration of providers of apron management services " concernent les prestataires de gestion d'aire de trafic soumis à déclaration.

En conclusion que faut-il faire ? :

Plusieurs questions se posent alors:

1 – La première, si il faut prévoir cette activité dans le certificat pour les exploitants remplissant cette fonction ?

2 – Si c'est un tiers, doit-il être certifié ou peut-il se déclarer ? Il appartient à l'autorité compétente de déterminer suivant les critères qu'elle fixe, l'application d'un certificat ou d'une déclaration. Dans ce dernier cas il conviendrait de l'établir clairement dans le règlement.

Courtesy translation

Certification or declaration

Comments

NPA does not clearly define for the organization providing the apron management services, if



it is subject to declaration or certification.  
 In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, the possibility that the apron management service (see Article 8 bis 2) e)) could make a declaration of her capacity and means.  
 In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration regime.  
 On the other hand neither the Regulation (UE) N°139/ 2014, or the project of regulation object of the present NPA do not fix criteria of distinction between regime of certification and declaration for the apron management service provider.  
 This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.  
 In summary what should be done?  
 Some questions request answers:  
 The first one: it is necessary to plan this activity in the certificate for operator performing) this function?  
 If it is a third party, should it be certified or a declaration is enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation.

response

*Noted*

Article 8a.(e) of the Basic Regulation allows Member States to derogate from Article 8a.(d) and accept declarations from apron management services providers. Since this decision is the sole responsibility of the Member State, the Agency does not provide such criteria.

However, the Agency has developed the necessary Implementing Rules and the required AMC and GM for the certification or declaration of apron management service providers.

comment

464

comment by: *DGAC France***Title too restrictive for Subpart B and ADR.OR.B.005****Scope of IRs applying to AMS providers****Level 2 – Suggestion for clarification**

Subpart B and ADR.OR.B.005 deal with certified AMS providers, as well as with AMS providers subject to declaration. The corresponding titles should therefore be amended to include the latter. "Certification obligations" is too restrictive.

Besides, for each IR of Subpart B, it should be clarified whether the IR applies to AMS providers subject to declaration, for certified AMS providers, or to both of them. The scope isn't obvious for every IR (see for example comment on ADR.OR.B.040 "Changes").

**SUBPART B — CERTIFICATION AND DECLARATION PROCESS (ADR.OR.B)**

**ADR.OR.B.005 Certification—obligations of aerodromes, and aerodrome operators and providers of apron management services regarding certification and declaration**

[...]

response

*Partially accepted*

The title of the Subpart has been changed to include declarations as well.

comment

516

comment by: *BAA Airside operations*

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>OR.B.005</p> <p>And OR.B020 are both written as if there is a provider of AMS – an entity, which is not the case at the majority of European airports. If tasks are split between aerodrome operator and the ANSP the certification process is not described by EASA. This suggests this NPA is only written for separate AMS providers, yet in other paragraphs the description is about the services offered and not who does it. For example OR.C.010 uses the term “ams, where established” which is much clearer what is meant and how the proposed text applies. Clarification is required in the text if it is the service or the entity that is being written about and should be consistent throughout. Contrast OR.D.016(a) which states “the provider of AMS shall appoint an accountable manager” – What happens if there isn’t a dedicated provider of AMS? In that case where does the NPA define with whom the accountabilities sit in this situation – with the ADR OPR or the ANSP?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| response | <p><i>Accepted</i></p> <p>The text has been revised in various places, in order to allow the aerodrome operator and the air traffic services provider to include apron management services (or parts thereof) into their existing management systems and manuals.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>696 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #42</a></p> <p>Le prestataire de gestion d'aéroport de trafic est-il soumis à un régime de déclaration ou à certification ?</p> <p>Courtesy translation<br/>Certification or declaration<br/>Comments</p> <p>NPA does not clearly define for the organization providing the apron management services, if it is subject to declaration or certification.</p> <p>In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, the possibility that the apron management service (see Article 8 bis 2) e)) could make a declaration of her capacity and means.</p> <p>In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration regime.</p> <p>On the other hand neither the Regulation (UE) N°139/ 2014, or the project of regulation object of the present NPA do not fix criteria of distinction between regime of certification and declaration for the apron management service provider.</p> <p>This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.</p> <p>In summary what should be done?<br/>Some questions request answers:<br/>The first one: it is necessary to plan this activity in the certificate for operator performing) this function?<br/>If it is a third party, should it be certified or a declaration is enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation.</p> |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



Article 8a.(e) of the Basic Regulation allows Member States to derogate from Article 8a.(d) and accept declarations from apron management services providers. Since this decision is the sole responsibility of the Member State, the Agency does not provide such criteria.

However, the Agency has developed the necessary Implementing Rules and the required AMC and GM for the certification or declaration of apron management service providers.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART B — CERTIFICATION (ADR.OR.B) — ADR.OR.B.020 Application for a certificate — providers of apron management services p. 16-17**

comment 33 comment by: CAA-NL

There is no (a) and (b) in this paragraph. Please change (c), (d) and (e) into (a), (b) and (c).

response *Accepted*

comment 195 comment by: Union des Aéroports français - UAF

Attachment [#43](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Application du certificat et fin des opérations.

Références

ADR.OR.A.010 Competent Authority (b)

ADR.OR.B.020 Application for a certificate

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Commentaires

Selon l'ADR.OR.A.010 Competent Authority (b) nous comprenons que lorsqu'une entreprise se situe dans un pays et opère dans un autre pays, il est suffisant d'avoir un seul certificat ou d'être déclaré, et donc qu'un certificat par aéroport n'est pas nécessaire

De même, l'ADR.OR.B.020 (5) Application for a certificate prévoit la nomination par le prestataire de service de gestion d'aire de trafic d'un accountable manager. Or celui-ci peut se trouver dans un autre pays que celui où est fournie la prestation de gestion d'aire de trafic, si celui-ci a été certifié dans un autre pays, nous pensons que la position de ce responsable ne conduit pas à avoir une vraie politique de développement de la sécurité.

Fin des opérations et validité du certificat :

L'ADR.OR.B.070 (b)(1) Termination of operation - providers of apron management service, impose à l'exploitant d'aéroport de veiller à la continuité du service et de s'assurer de la continuité de la gestion d'aire de trafic. Cette règle impose d'avoir une autre entité tierce certifiée pour palier la fin d'activité du prestataire sortant. Cette IR ne prévoit pas le cas où le service de gestion d'aire de trafic ne serait plus rendu, ce qui laisse sous-entendre que ce service serait obligatoire sur tous les aéroports européens entrant dans le champ du règlement (CE) N°216/2008 (cf. fiche n°4). Il faut avoir prévu, comme dans l'IR ADR.OR.B.065 du règlement (UE) N°139/2014 le cas d'une fin de prestation du service.

Proposition

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Supprimer b) 1 et b) 2)



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>Courtesy translation<br/> Certificat implementation<br/> Comments<br/> According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.<br/> In this case, the coordination between the competent authorities is not provided. We have doubts about the implementation of rules which requires coordination with competent authorities.<br/> <input type="checkbox"/> End of operations and the validity of the certificate:<br/> ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to make sure the continuity of apron management services. These rules oblige to have another third entity and fully qualified to replace the termination of the previous company, in most of the cases, it will be the operator who will do this.<br/> It is necessary to have the same writing as the IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.<br/> Proposal<br/> ADR.OR.B.070 (b) Termination of operation - providers of apron management service<br/> Delete b) 1) and b) 2)</p> |
| response | <p><i>Noted</i></p> <p>According to the the Basic Regulation, certificates issued in accordance with the provisions of the said Regulation and its Implementing Rules are mutually recognised. Concerning the coordination between the Competent Authorities of different Member States when a certified provider of apron management services operates at aerodromes in different Member States, please refer to point (g) in ADR.AR.C.005.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>196 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>465 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p><b>Application for a certificate – providers of AMS</b><br/> <b>Level 2 – Suggestion for clarification</b><br/> This IR is new, so we understand that (a) and (b), which are indicated by “[...]”, are in fact copy-pasted from (a) and (b) of ADR.OR.B.015 ? This is not clear.<br/> Besides, point (e) gives the possibility to provide the information required by (d)(5) at a later stage., as was the case for aerodrome operators (see ADR.OR.B.015). However, as regards aerodrome operators, the same possibility was allowed to provide the aerodrome manual at a later stage. AMS providers don’t have the same possibility for their operations manual. Why establishing such a difference ? Is it on purpose, or is it an editorial mistake ?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Accepted</i></p> <p>There were editorial mistakes and have been corrected.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>517 <span style="float: right;">comment by: BAA Airside operations</span></p> <p>OR.B.005</p> <p>And OR.B020 are both written as if there is a provider of AMS – an entity, which is not the case at the majority of European airports. If tasks are split between aerodrome operator and the ANSP the certification process is not described by EASA. This suggests this NPA is only written for separate AMS providers, yet in other paragraphs the description is about the services offered and not who does it. For example OR.C.010 uses the term “ams, where established” which is much clearer what is meant and how the proposed text applies. Clarification is required in the text if it is the service or the entity that is being written about and should be consistent throughout. Contrast OR.D.016(a) which states “the provider of AMS shall appoint an accountable manager” – What happens if there isn’t a dedicated provider of AMS? In that case where does the NPA define with whom the accountabilities sit in this situation – with the ADR OPR or the ANSP?</p>                                                                                                                                                                                                                                                                                                                                                                                                                             |
| response | <p><i>Accepted</i></p> <p>The text has been revised in various places, in order to allow the aerodrome operator and the air traffic services provider to include apron management services (or parts thereof) into their existing management systems and manuals.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>639 <span style="float: right;">comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</span></p> <p>Attachment <a href="#">#44</a></p> <p>Comment 8</p> <p>Courtesy translation<br/>Certificat implementation<br/>Comments</p> <p>According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.</p> <p>In this case, the coordination between the competent authorities is not provided. We have doubts about the implementation of rules which requires coordination with competent authorities.</p> <p>☑ End of operations and the validity of the certificate:</p> <p>ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to make sure the continuity of apron management services. These rules oblige to have another third entity and fully qualified to replace the termination of the previous company, in most of the cases, it will be the operator who will do this.</p> <p>It is necessary to have the same writing as the IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.</p> <p>Proposal<br/>ADR.OR.B.070 (b) Termination of operation - providers of apron management service<br/>Delete b) 1) and b) 2)</p> |
| response | <p><i>Noted</i></p> <p>According to the the Basic Regulation certificates issued in accordance with the provisions of the said Regulation and its Implementing Rules are mutually recognised. Concerning the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



coordination between the Competent Authorities of different Member States when a certified provider of apron management services operates at aerodromes in different Member States, please refer to point (g) in ADR.AR.C.005.

comment 668 comment by: *Federal Office of Civil Aviation FOCA*  
 ADR.AR.B.020 (d) (4): FOCA understands the term "resources" comprising the financial technical and operational resources.

response *Accepted*  
 Refer also to AMC1 ADR.OR.B.020(b)(4) and GM1 ADR.OR.B.020(b)(4).

comment 737 comment by: *Pau Pyrénées Airport - PUF/LFBP*  
 Attachment [#45](#)

Application du certificat et fin des opérations

Courtesy translation  
 Certificat implementation  
 Comments

According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.

In this case, the coordination between the competent authorities is not provided. We have doubts about the implementation of rules which requires coordination with competent authorities.

End of operations and the validity of the certificate:

ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to make sure the continuity of apron management services. These rules oblige to have another third entity and fully qualified to replace the termination of the previous company, in most of the cases, it will be the operator who will do this.

It is necessary to have the same writing as the IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.

Proposal

ADR.OR.B.070 (b) Termination of operation - providers of apron management service  
 Delete b) 1) and b) 2)

response *Noted*  
 According to the the Basic Regulation certificates issued in accordance with the provisions of the said Regulation and its Implementing Rules are mutually recognised. Concerning the coordination between the Competent Authorities of different Member States when a certified provider of apron management services operates at aerodromes in different Member States, please refer to point (g) in ADR.AR.C.005.

comment 919 comment by: *The Civil Aviation Authority*  
 There should be specified if (in case that apron management services are provided by the



aerodrome operator in cooperation with ATS), aerodrome operator (as an applicant), shall provide the Competent Authority with the information and documentations required in ADR.OR.B.020 during aerodrome certification process.

The most important is whether a separate Operation Manual shall be provided. In accordance with ADR.OR.F.005 comment – in our opinion Operation Manual should be a part of Aerodrome Manual (if aerodrome operator provides apron management services) – this must be clearly mentioned in the new regulation.

This comment is connected with Polish CAA comment to Article 1 of regulation (NPA 2013-24) to add new term defined in Commission Regulation No 139/2014.

response *Accepted*

When the aerodrome operator undertakes the provision of apron management services, then the applicable article is ADR.OR.B.15. The aerodrome manual should cover the provision of apron management services as well. For that reason, when the aerodrome operator is the provider of apron management services, then a separate manual is not required. A new point (m) has been added in ADR.OR.F.005 as follows:

'(m) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART B — CERTIFICATION (ADR.OR.B) — ADR.OR.B.026 Demonstration of compliance — providers of apron management services**

p. 17

comment 48 comment by: *Flughafen Berlin Brandenburg GmbH*

Replace reference "ADR.OR.D.035" by "ADR.OR.D.040"

response *Accepted*

The reference has been corrected.

comment 107 comment by: *ADV - German Airports Association*

(b) Wrong reference to ADR.OR.D.035, which is applicable for aerodrome operators. Replace "ADR.OR.D.035" with "ADR.OR.D.040".

response *Accepted*

The reference has been corrected.

comment 164 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre*

Wrong reference in paragraph (b):  
Replace OR.D.035 with OR.D.040

response *Accepted*



The reference has been corrected.

|          |                                                                                                                           |                           |
|----------|---------------------------------------------------------------------------------------------------------------------------|---------------------------|
| comment  | 276                                                                                                                       | comment by: <i>Avinor</i> |
|          | Wrong reference to ADR.OR.D.035, which is applicable for aerodrome operators. Replace "ADR.OR.D.035" with "ADR.OR.D.040". |                           |
| response | <i>Accepted</i>                                                                                                           |                           |
|          | The reference has been corrected.                                                                                         |                           |

|          |                                                                                                                                |                                                                |
|----------|--------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| comment  | 392                                                                                                                            | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | (b): Wrong reference to ADR.OR.D.035, which is applicable for aerodrome operators. Replace "ADR.OR.D.035" with "ADR.OR.D.040". |                                                                |
| response | <i>Accepted</i>                                                                                                                |                                                                |
|          | The reference has been corrected.                                                                                              |                                                                |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| comment | 466                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | comment by: <i>DGAC France</i> |
|         | <p><b>Demonstration of compliance – providers of AMS</b></p> <p><b>Level 1 - Fundamental comment</b></p> <p><b>Level 2 – Suggestion for clarification</b></p> <p><b>Level 3 – Typographical mistake</b></p> <p>This IR requires the AMS provider to “perform and document all actions, inspections, tests, safety assessments or exercises necessary [...] <u>at the request of the Competent Authority</u>”. The wording is very similar to ADR.OR.B.025 applying to aerodrome operators, except the last part of the sentence “<i>at the request of the Competent Authority</i>”, which is new in ADR.OR.B.026. Is this difference made on purpose ? Is it meant to introduce flexibility for AMS providers compared to aerodrome operators ?</p> <p>Moreover, we infer that ADR.OR.B.026, requiring the AMS provider to demonstrate its compliance, only applies to <u>certified</u> AMS providers. This limitation of scope should be made clearer in the text.</p> <p>Another comment is related to GM1 ADR.OR.B.060 entitled MODEL FORM OF DECLARATION OF COMPLIANCE — PROVIDERS OF APRON MANAGEMENT SERVICES. This GM is included in the already published EASA decision 2014/12/R of 27 February 2014. It is not related to the “declaration of compliance” required by ADR.OR.B.026, para (a)(3), and should therefore be entitled “MODEL FORM OF <u>DECLARATION</u>” instead of “MODEL FORM OF <u>DECLARATION OF COMPLIANCE</u>”. There seems to be a confusion between two concepts :</p> <ul style="list-style-type: none"> <li>• Declaration of compliance, which is required by ADR.OR.B.026 for AMS providers in order to ensure that they comply with the applicable requirements. This document is only required for <u>certified</u> providers (note : this scope limitation has to be clarified in the text). The model form for this declaration of compliance exists as a guidance for aerodrome operators (see GM1 ADR.OR.B.025 (a)(3)), however NPA 2013/24 contains no such model for AMS providers.</li> <li>• Declaration (of activity), which corresponds to an oversight system, in the same way as certification also does. The model form for declaration of AMS providers exists in the already published rules (see GM1 ADR.OR.B.060). However, the words “of compliance” should be removed from this GM, so as not to create a confusion with</li> </ul> |                                |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>the “declaration of compliance” mentioned above. A possibility could be to choose the wording “declaration <u>of activity</u>”.</p> <p>Besides, as regards point (b), the reference to ADR.OR.D.035 is erroneous and should be replaced by ADR.OR.D.040.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| response | <p><i>Noted</i></p> <p>Concerning the first part of the comment, the text is identical to the text in ADR.OR.B.025, so there is not any differentiation between the aerodrome operator and the apron management services provider.</p> <p>Concerning the second part of the comment, it has to be understood that most of the provisions are applicable to certified and declared apron management services providers. The key difference is that the competent authority does not have to inspect the organisation before allowing it to provide the service. However, the declared organisation, by submitting the declaration, confirms that it complies with all the requirements.</p> <p>Concerning the last part of the comment, it is accepted and the reference has been corrected.</p> |
| comment  | <p>537 <span style="float: right;">comment by: <i>Swedish Transport Agency</i></span></p> <p>Replace "ADR.OR.D.035" with "ADR.OR.D.040".</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Accepted</i></p> <p>The reference has been corrected.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>669 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span></p> <p>ADR.OR.B.026 (b): All documents and informations relevant to the providers operations should be retained, not just reports (resulting from inspections and tests). FOCA therefore suggests following wording: "All records relevant to the providers operation shall be held and kept by the apron management service provider...."</p>                                                                                                                                                                                                                                                                                                                                               |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>670 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span></p> <p>ADR.OR.B.026 (b): Reference to ADR should be replaced as follows: 'ADR.OR.D.040 instead of 'ADR.OR.D.035'.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| response | <p><i>Accepted</i></p> <p>The reference has been corrected.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>859 <span style="float: right;">comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i></span></p> <p>(b)</p> <p>The rule should make reference to the new IR ADR.OR.D.040 concerning AMS providers. Replace "ADR.OR.D.035" with "ADR.OR.D.040".</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



The reference has been corrected.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART B — p. 17-18**  
**CERTIFICATION (ADR.OR.B) — ADR.OR.B.040 Changes**

|          |                                                                                                                                     |                                                                                                                                                                               |
|----------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 156<br>❖                                                                                                                            | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i>                                  |
|          | see above:<br>The mention of the self-declaration is missing.<br>Therefore only certified AMSPs would be subject to this provision. |                                                                                                                                                                               |
| response | <i>Accepted</i>                                                                                                                     | The article is applicable to certified apron management services providers. For the declared organisations, article ADR OR.B.060 and specifically point (a)(4) is applicable. |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| comment | 459 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: <i>DGAC France</i> |
|         | <p><b>Changes for non-certified AMS providers</b></p> <p><b>Level 2 – Suggestion for clarification</b></p> <p><b>Level 3 – Typographical mistake</b></p> <p>ADR.AR.C.035, (g) requires the AMS providers to define a procedure as regards changes not requiring prior approval, this procedure being subject to approbation of the Competent Authority. As this requirement is located in ADR.AR.C.035 “Issuance of certificates”, we understand it only applies to <u>certified</u> AMS providers.</p> <p>Besides, ADR.OR.B.040, (b) lists some cases of changes requiring prior approval for <u>certified</u> AMS providers.</p> <p>Thus, we infer that for <u>non-certified</u> AMS, the Competent Authority is not involved in the implementation of changes, even though non-certified providers are subject, as well as certified ones, to specifications of ADR.OR.D.005 (b)(6) concerning the handling of changes through their management system.</p> <p>The difference between requirements applying to certified and non-certified providers should be better reflected in the text, as some provisions of ADR.AR.C.040 and ADR.OR.B.040 apply in fact only to <u>certified</u> providers. It is proposed to complete ADR.AR.C.040 and ADR.OR.B.040 to indicate that both IR are not applicable to non-certified AMS providers. Furthermore, there is an editorial mistake in ADR.OR.B.040 (e), as the reference to AR.C.035(h) is erroneous.</p> <p><b>ADR.AR.C.035 Issuance of certificates</b></p> <p>[...]</p> <p>(g) To enable an aerodrome operator or a <u>certified</u> provider of apron management services</p> <p>[...]</p> <p><b>ADR.AR.C.040 Changes</b></p> <p>This implementing rule is not applicable to apron management services providers subject to declaration.</p> <p>[...]</p> <p><b>ADR.OR.B.040 Changes</b></p> <p>This implementing rule is not applicable to apron management services providers subject to declaration.</p> <p>[...]</p> |                                |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <a href="#">(e) Changes not requiring prior approval [...] in accordance with ADR.AR.C.035(h)(g). [...]</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Noted</i></p> <p>The Regulation is written having in mind that, in principle, apron management service providers should be certified. When a Member State decides to derogate and accept declarations, then the relevant articles for the declaration are applicable. However, this does not mean that the declared apron management services providers are exempted from implementing the proposed regulation. The key difference is that the competent authority does not have to inspect the organisation before allowing it to provide the service. However, the declared organisation, by submitting the declaration, confirms that it complies with all the requirements.</p> <p>Concerning the editorial mistake, this has been corrected</p> |
| comment  | <p>671 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span></p> <p>ADR.OR.B.040 (b): FOCA suggests that changes in key personnel are also to be included.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Noted</i></p> <p>Key personnel is part of the management system, which is already included in point (b)(2).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART B — CERTIFICATION (ADR.OR.B) — ADR.OR.B.060 Declaration of providers of apron management services**

p. 18

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| comment  | <p>2 <span style="float: right;">comment by: <i>Jan Loncke</i></span></p> <p>ADR.OR.B.060 (a) (5)</p> <p>I suggest to add the words "provider of apron management services" in the sentence, so that there is no chance of misunderstanding which manual is being meant :</p> <p>(5) provide its services in accordance with the aerodrome manual and <del>and their</del> <b>the operations manual of the provider of apron management services</b> and comply with all relevant provisions contained therein.</p> |
| response | <p><i>Noted</i></p> <p>The term used is 'Operations Manual' whereas for the aerodrome, the term 'Aerodrome Manual' is used.</p>                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>173 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p><a href="#">Attachment #46</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?</p> <p>Références</p>                                                                                                                                                       |



- ☑ Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.
- ☑ Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aérodromes.
- ☑ ADR.AR.A.005 (a) Competent Authority
- ☑ ADR.OR.B.005 (b) Certification obligations of aerodromes, and aerodrome operators and providers of apron management services
- ☑ ADR.OR.B.060 Declaration of providers of apron management services

#### Commentaires

La NPA ne définit pas clairement si le prestataire de service de gestion d'aire de trafic est soumis à déclaration ou à certification.

Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aire de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.

En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aire de trafic.

Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aire de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " Declaration of providers of apron management services " concernent les prestataires de gestion d'aire de trafic soumis à déclaration.

En conclusion que faut-il faire ? :

Plusieurs questions se posent alors:

1 – La première, si il faut prévoir cette activité dans le certificat pour les exploitants remplissant cette fonction ?

2 – Si c'est un tiers, doit-il être certifié ou peut-il se déclarer ? Il appartient à l'autorité compétente de déterminer suivant les critères qu'elle fixe, l'application d'un certificat ou d'une déclaration. Dans ce dernier cas il conviendrait de l'établir clairement dans le règlement.

#### Courtesy translation

#### Certification or declaration

#### Comments

NPA does not clearly define for the organization providing the apron management services, if it is subject to declaration or certification.

In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, the possibility that the apron management service (see Article 8 bis 2) e) could make a declaration of her capacity and means.

In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration regime.

On the other hand neither the Regulation (UE) N°139/ 2014, or the project of regulation object of the present NPA do not fix criteria of distinction between regime of certification and declaration for the apron management service provider.

This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.

In summary what should be done?

Some questions request answers:

The first one: it is necessary to plan this activity in the certificate for operator performing)



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>this function?<br/>If it is a third party, should it be certified or a declaration is enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Noted</i></p> <p>Article 8a.(e) of the Basic Regulation allows Member States to derogate from Article 8a.(d) and accept declarations from apron management services providers. Since this decision is the sole responsibility of the Member State, the Agency does not provide such criteria.</p> <p>However, the Agency has developed the necessary Implementing Rules and the required AMC and GM for the certification or declaration of apron management service providers.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>468 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p><b>Redundancy between ADR.OR.B.060 and ADR.OR.C.010</b><br/><b>Level 2 – Suggestion for clarification</b></p> <p>ADR.OR.B.060 requires the AMS providers which are subject to declaration to provide their services in accordance with the aerodrome manual. This requirement should not be restricted to AMS providers subject to declaration : it should also apply to certified providers. Besides, this is already required by ADR.OR.C.010, point (c). Point (a)(5) of ADR.OR.B.060 should then be removed, since it is redundant as well as too restrictive.</p> <p><b>ADR.OR.B.060 Declaration of providers of apron management services</b><br/>[...]<br/><del>(5) provide its services in accordance with the aerodrome manual and their operations manual and comply with all relevant provisions contained therein.</del></p> |
| response | <p><i>Noted</i></p> <p>The reason for this requirements being too restrictive is not understood. As a matter of principle, the provider of apron management services shall provide the services in accordance with their operations manual. As for the duplication of the rule, the Agency prefers to keep it in order to make it more visible.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <p>617 <span style="float: right;">comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></span></p> <p>Attachment <a href="#">#47</a></p> <p>Comment 3</p> <p>Objet<br/>Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?</p> <p>Références</p> <ul style="list-style-type: none"> <li>☑ Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.</li> <li>☑ Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aérodromes.</li> <li>☑ ADR.AR.A.005 (a) Competent Authority</li> <li>☑ ADR.OR.B.005 (b) Certification obligations of aerodromes, and aerodrome operators and providers of apron management services</li> </ul>                                                                                         |



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

Commentaires

La NPA ne définit pas clairement si le prestataire de service de gestion d'aéroport de trafic est soumis à déclaration ou à certification.

Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aéroport de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.

En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aéroport de trafic.

Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aéroport de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " Declaration of providers of apron management services " concernent les prestataires de gestion d'aéroport de trafic soumis à déclaration.

En conclusion que faut-il faire ? :

Plusieurs questions se posent alors:

1 – La première, si il faut prévoir cette activité dans le certificat pour les exploitants remplissant cette fonction ?

2 – Si c'est un tiers, doit-il être certifié ou peut-il se déclarer ? Il appartient à l'autorité compétente de déterminer suivant les critères qu'elle fixe, l'application d'un certificat ou d'une déclaration. Dans ce dernier cas il conviendrait de l'établir clairement dans le règlement.

Courtesy translation

Certification or declaration

Comments

NPA does not clearly define for the organization providing the apron management services, if it is subject to declaration or certification.

In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, the possibility that the apron management service (see Article 8 bis 2) e)) could make a declaration of her capacity and means.

In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration regime.

On the other hand neither the Regulation (UE) N°139/ 2014, or the project of regulation object of the present NPA do not fix criteria of distinction between regime of certification and declaration for the apron management service provider.

This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.

In summary what should be done?

Some questions request answers:

The first one: it is necessary to plan this activity in the certificate for operator performing) this function?

If it is a third party, should it be certified or a declaration is enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation.

response

*Noted*

Article 8a.(e) of the Basic Regulation allows Member States to derogate from Article 8a.(d)



and accept declarations from apron management services providers. Since this decision is the sole responsibility of the Member State, the Agency does not provide such criteria.

However, the Agency has developed the necessary Implementing Rules and the required AMC and GM for the certification or declaration of apron management services providers.

comment 698

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#48](#)

Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?

Objet

Le prestataire de gestion d'aire de trafic est-il soumis à un régime de déclaration ou à certification ?

Références

☑ Règlement de base (CE) n°216/2008 art 8 bis 2) e) relatif aux règles communes dans le domaine de l'aviation civile.

☑ Règlement (UE) n°139/2014 art 3) du 12 février 2014 relatif aux exigences et procédures administratives relatives aux aérodromes.

☑ ADR.AR.A.005 (a) Competent Authority

☑ ADR.OR.B.005 (b) Certification obligations of aerodromes, and aerodrome operators and providers of apron management services

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

Commentaires

La NPA ne définit pas clairement si le prestataire de service de gestion d'aire de trafic est soumis à déclaration ou à certification.

Dans le règlement de base (CE) 216/2008, il est prévu, par dérogation accordée par l'Etat membre, la possibilité que le prestataire de service de gestion d'aire de trafic (voir article 8 bis 2) e) ) soit soumis à une déclaration de ses capacités et moyens.

En revanche ni le Règlement (CE) n°139/2014, ni le projet de règlement objet de la présente NPA ne fixent de critères de distinction entre les régimes de certification et de déclaration pour le prestataire de service de gestion d'aire de trafic.

Ce flou se décline par la suite dans différentes règles : d'un côté l'ADR.AR.A.005 décrit la certification de l'organisation prestataire de services de gestion d'aire de trafic, de l'autre l'ADR.OR.B.005 (b) et l'ADR.OR.B.060 " Declaration of providers of apron management services " concernent les prestataires de gestion d'aire de trafic soumis à déclaration.

En conclusion que faut-il faire ? :

Plusieurs questions se posent alors:

1 – La première, si il faut prévoir cette activité dans le certificat pour les exploitants remplissant cette fonction ?

2 – Si c'est un tiers, doit-il être certifié ou peut-il se déclarer ? Il appartient à l'autorité compétente de déterminer suivant les critères qu'elle fixe, l'application d'un certificat ou d'une déclaration. Dans ce dernier cas il conviendrait de l'établir clairement dans le règlement.

Courtesy translation

Certification or declaration

Comments

NPA does not clearly define for the organization providing the apron management services, if



it is subject to declaration or certification.  
 In the basic Regulation (EC) N°216/2008, it is expected that under deviation decided by the Member State, the possibility that the apron management service (see Article 8 bis 2) e)) could make a declaration of her capacity and means.  
 In Article 3 of Regulation (UE) N° 139/2014, there is no mention of criteria for distinction between certification or declaration regime.  
 On the other hand neither the Regulation (UE) N°139/ 2014, or the project of regulation object of the present NPA do not fix criteria of distinction between regime of certification and declaration for the apron management service provider.  
 This lack could be highlighted in different rules: ADR AR.A.005 describes the certification service provider organization for an apron management service and for ADR.OR.B.005 (b) and ADR. OR.B.060 "declaration of providers of apron management services" it could be enough to declare the activity.  
 In summary what should be done?  
 Some questions request answers:  
 The first one: it is necessary to plan this activity in the certificate for operator performing) this function?  
 If it is a third party, should it be certified or a declaration is enough? It is up to the competent authority to determine according to the criteria that it fixes implementation of a certificate or a declaration. In this last case it would be advisable to establish it clearly in the regulation.

response

*Noted*

Article 8a.(e) of the Basic Regulation allows Member States to derogate from Article 8a.(d) and accept declarations from apron management services providers. Since this decision is the sole responsibility of the Member State, the Agency does not provide such criteria.

However, the Agency has developed the necessary Implementing Rules and the required AMC and GM for the certification or declaration of apron management services providers.

comment

764

comment by: *HIA - Highlands and Islands Airports Limited*

Currently our apron operations are covered by an annex to the Aerodrome Manual. We would envisage the Operations Manual to follow the same document structure.

response

*Accepted*

If there is not any apron management services provider established on the aerodrome and the services are provided by the aerodrome operator and/or the air traffic services provider, the relevant functions shall be included in their manuals, i.e. the aerodrome manual or the air traffic services manual. In order to provide clarity on this, a new point (m) has been included in ADR OR.F.005 as follows:

'(m) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART B — CERTIFICATION (ADR.OR.B) — ADR.OR.B.070 Termination of operation — providers of apron management services** p. 18-19



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                        |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| comment  | 86                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>   |
|          | <p>What exactly is meant by "terminate"? Please provide further clarification.</p> <p>Proposed amendment:</p> <p>(a) include "permanently" before "terminate" and delete (b) entirely as aerodrome operators cannot be held liable if, e.g. an apron management service provider terminates operations due to bankruptcy. Furthermore, aerodrome operators only have limited - if any - resources to cushion the impact of industrial actions within the organisation of an apron management service provider.</p>                           |                                                        |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                        |
|          | <p>The term 'terminate' means that the provision of the service is discontinued permanently, therefore, the term 'permanently' has been added. Furthermore, the intent of point (b) is to ensure the continuity of the service when a provider of apron management services decides for any reason to terminate the provision of the service. The aerodrome operator being the overall responsible for the operation of the aerodrome should take all the appropriate measures. Industrial actions are out of the scope of this article.</p> |                                                        |
| comment  | 108                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i>   |
|          | <p>Delete (b) Aerodrome operators cannot be held liable if, e.g., an apron management provider terminates operations due to bankruptcy.</p>                                                                                                                                                                                                                                                                                                                                                                                                  |                                                        |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                        |
|          | <p>The intent of the article is to ensure the continuity of the service when a provider of apron management services decides for any reason to terminate the provision of the service. The aerodrome operator being the overall responsible for the operation of the aerodrome should take all the appropriate measures.</p>                                                                                                                                                                                                                 |                                                        |
| comment  | 150                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>CAA Austria - Ministry of Transport</i> |
|          | <p>AMC 1 is mentioning a notification of the CA in such time in advance to enable the aerodrome operator to take appropriate measures, for the continuation of the service. We propose to change the wording in (a) (1) from "as soon as possible" into "immediately and before termination"</p>                                                                                                                                                                                                                                             |                                                        |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                        |
|          | <p>The phrase 'as soon as possible' is more appropriate.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                        |
| comment  | 197                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Union des Aéroports français - UAF</i>  |
|          | <p>Attachment <a href="#">#49</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Application du certificat et fin des opérations.<br/>Références<br/><input type="checkbox"/> ADR.OR.A.010 Competent Authority (b)</p>                                                                                                                                                                                                                                                                             |                                                        |



ADR.OR.B.020 Application for a certificate

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Commentaires

Selon l'ADR.OR.A.010 Competent Authority (b) nous comprenons que lorsqu'une entreprise se situe dans un pays et opère dans un autre pays, il est suffisant d'avoir un seul certificat ou d'être déclaré, et donc qu'un certificat par aérodrome n'est pas nécessaire

De même, l'ADR.OR.B.020 (5) Application for a certificate prévoit la nomination par le prestataire de service de gestion d'aire de trafic d'un accountable manager. Or celui-ci peut se trouver dans un autre pays que celui où est fournie la prestation de gestion d'aire de trafic, si celui-ci a été certifié dans un autre pays, nous pensons que la position de ce responsable ne conduit pas à avoir une vraie politique de développement de la sécurité.

Fin des opérations et validité du certificat :

L'ADR.OR.B.070 (b)(1) Termination of operation - providers of apron management service, impose à l'exploitant d'aérodrome de veiller à la continuité du service et de s'assurer de la continuité de la gestion d'aire de trafic. Cette règle impose d'avoir une autre entité tierce certifiée pour palier la fin d'activité du prestataire sortant. Cette IR ne prévoit pas le cas où le service de gestion d'aire de trafic ne serait plus rendu, ce qui laisse sous-entendre que ce service serait obligatoire sur tous les aérodromes européens entrant dans le champ du règlement (CE) N°216/2008 (cf. fiche n°4). Il faut avoir prévu, comme dans l'IR ADR.OR.B.065 du règlement (UE) N°139/2014 le cas d'une fin de prestation du service.

Proposition

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Supprimer b) 1 et b) 2)

Courtesy translation

Certificat implementation

Comments

According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.

In this case, the coordination between the competent authorities is not provided. We have doubts about the implementation of rules which requires coordination with competent authorities.

End of operations and the validity of the certificate:

ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to make sure the continuity of apron management services. These rules oblige to have another third entity and fully qualified to replace the termination of the previous company, in most of the cases, it will be the operator who will do this.

It is necessary to have the same writing as the IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.

Proposal

ADR.OR.B.070 (b) Termination of operation - providers of apron management service

Delete b) 1) and b) 2)

response

*Partially accepted*

The rule has been divided into two parts. The first part deals with the obligations of the provider of apron management services and the second part deals with the obligations of the aerodrome operator. It is true that the way the rule was written, it was implying that another organisation should be employed and the option to terminate the service has not been taken



into account. For that reason, the responsibilities of the aerodrome operator have been redrafted in point (b)(1) in a more general way.

comment 277 comment by: *Avinor*

What exactly is meant by "terminate"? Clarification is needed. Proposed amendment: (a) include "permanently" before "terminate" and delete (b) entirely as aerodrome operators cannot be held liable if, e.g., an apron management provider terminates operations due to bankruptcy.

response *Partially accepted*

The term 'terminate' means that the provision of the service is discontinued permanently, therefore, the term 'permanently' has been added. Furthermore, the intent of point (b) is to ensure the continuity of the service when a provider of apron management services decides for any reason to terminate the provision of the service. The aerodrome operator being the overall responsible for the operation of the aerodrome should take all the appropriate measures. Industrial actions are out of the scope of this article.

comment 393 comment by: *ACI EUROPE (Airports Council International)*

(b): What exactly is meant by "terminate"? Clarification is needed. Proposed amendment: (a) include "permanently" before "terminate" and delete (b) entirely as aerodrome operators cannot be held liable if, e.g., an apron management provider terminates operations due to bankruptcy.

response *Partially accepted*

The term 'terminate' means that the provision of the service is discontinued permanently, therefore, the term 'permanently' has been added. Furthermore, the intent of point (b) is to ensure the continuity of the service when a provider of apron management services decides for any reason to terminate the provision of the service. The aerodrome operator being the overall responsible for the operation of the aerodrome should take all the appropriate measures. Industrial actions are out of the scope of this article.

comment 470 comment by: *DGAC France*

#### **Termination of operation — providers of apron management services**

##### **Level 1 - Fundamental comment**

According to ICAO chapter 9.5, AMS should be provided if justified by traffic volume or operating conditions. It is not a requirement in all circumstances. If these conditions are not fulfilled any more, the AMS provider may terminate its operation without a new provider being needed at the aerodrome.

Moreover, the aerodrome operator is not always the one who decides on the need to provide AMS on the aerodrome. In France for example, AMS are provided by the national ANSP, which is not under control of the aerodrome operator, even if both have an agreement.

Furthermore, the IR and the AMC contradict each other, as the IR requires the aerodrome operator to inform the aeronautical information service, whereas the AMC requires the AMS provider to do so.

It is therefore proposed to modify ADR.OR.B.070 as follows :



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

[...]

(b) The aerodrome operator shall:

(1) take appropriate measures to ensure the uninterrupted provision of apron management services at the aerodrome; that safety risks resulting from the termination of operation have been assessed and mitigated.

(2)(c) The provider of apron management services shall provide such information to the appropriate Aeronautical Information Service provider.

**AMC1 ADR.OR.B.070 Termination of operation — provider of apron management services**  
TERMINATION OF OPERATION

In case of intended termination of the provision of apron management services, the provider of apron management services should notify, in writing, the Competent Authority, the Aeronautical Information Service and the aerodrome operator. The notification should be done in such time in advance, so as to enable the aerodrome operation to take the appropriate measures to be taken for the continuation of the service if deemed necessary, to allow for the timely publication of the changes, and their notification by the Aeronautical Information Regulation and Control (AIRAC) system in accordance with the related timeframe.

response *Accepted*

The proposals have been accepted and the text has been updated.

comment 538 comment by: *Swedish Transport Agency*

(b)(2) the phrase "such information" should be better explained.

response *Accepted*

The phrase 'such information' is related to the termination of the provision of the service. The wording is the same as in ADR.OR.B.065 related to aerodromes.

comment 577 comment by: *Belgian CAA*

The template for the certificate in ADR.AR.C.055 doesn't contain any "terms of the certificate". The content of the certificate is very limited.

response *Accepted*

The terms of the certificate have been included under the Certificate Model Form.

comment 640 comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*Attachment [#50](#)

Comment 8

Objet

Application du certificat et fin des opérations.

Références

 ADR.OR.A.010 Competent Authority (b) ADR.OR.B.020 Application for a certificate

ADR.OR.B.070 (b) Termination of operation - providers of apron management service  
Commentaires

Selon l'ADR.OR.A.010 Competent Authority (b) nous comprenons que lorsqu'une entreprise se situe dans un pays et opère dans un autre pays, il est suffisant d'avoir un seul certificat ou d'être déclaré, et donc qu'un certificat par aérodrome n'est pas nécessaire

De même, l'ADR.OR.B.020 (5) Application for a certificate prévoit la nomination par le prestataire de service de gestion d'aire de trafic d'un accountable manager. Or celui-ci peut se trouver dans un autre pays que celui où est fournie la prestation de gestion d'aire de trafic, si celui-ci a été certifié dans un autre pays, nous pensons que la position de ce responsable ne conduit pas à avoir une vraie politique de développement de la sécurité.

Fin des opérations et validité du certificat :

L'ADR.OR.B.070 (b)(1) Termination of operation - providers of apron management service, impose à l'exploitant d'aérodrome de veiller à la continuité du service et de s'assurer de la continuité de la gestion d'aire de trafic. Cette règle impose d'avoir une autre entité tierce certifiée pour palier la fin d'activité du prestataire sortant. Cette IR ne prévoit pas le cas où le service de gestion d'aire de trafic ne serait plus rendu, ce qui laisse sous-entendre que ce service serait obligatoire sur tous les aérodromes européens entrant dans le champ du règlement (CE) N°216/2008 (cf. fiche n°4). Il faut avoir prévu, comme dans l'IR ADR.OR.B.065 du règlement (UE) N°139/2014 le cas d'une fin de prestation du service.

Proposition

ADR.OR.B.070 (b) Termination of operation - providers of apron management service  
Supprimer b) 1 et b) 2)

Courtesy translation

Certificat implementation

Comments

According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.

In this case, the coordination between the competent authorities is not provided. We have doubts about the implementation of rules which requires coordination with competent authorities.

End of operations and the validity of the certificate:

ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to make sure the continuity of apron management services. These rules oblige to have another third entity and fully qualified to replace the termination of the previous company, in most of the cases, it will be the operator who will do this.

It is necessary to have the same writing as the IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.

Proposal

ADR.OR.B.070 (b) Termination of operation - providers of apron management service  
Delete b) 1) and b) 2)

response

*Partially accepted*

The rule has been divided into two parts. The first part deals with the obligations of the provider of apron management services and the second part deals with the obligations of the aerodrome operator. It is true that the way the rule was written, it was implying that another organisation should be employed and the option to terminate the service has not been taken into account. For that reason, the responsibilities of the aerodrome operator have been



redrafted in point (b)(1) in a more general way.

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| comment  | <p>673 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span></p> <p>ADR.OR.B.070 (b): what does "terminate" mean? The term requires further clarification. This example demonstrates the necessity that the apron management service must be in the overall responsibility of the aerodrome operator as prescribed by the relevant ICAO requirements .</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Partially accepted</i></p> <p>The term 'terminate' means that the provision of the service is discontinued permanently, therefore, the term 'permanently' has been added. Furthermore, the intent of point (b) is to ensure the continuity of the service when a provider of apron management services decides for any reason to terminate the provision of the service. The aerodrome operator being the overall responsible for the operation of the aerodrome should take all the appropriate measures. Industrial actions are out of the scope of this article.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <p>738 <span style="float: right;">comment by: <i>Pau Pyrénées Airport - PUF/LFBP</i></span></p> <p>Attachment <a href="#">#51</a></p> <p>Application du certificat et fin des opérations</p> <p>Objet<br/>Application du certificat et fin des opérations.<br/>Références<br/> <ul style="list-style-type: none"> <li>┆ ADR.OR.A.010 Competent Authority (b)</li> <li>┆ ADR.OR.B.020 Application for a certificate</li> <li>┆ ADR.OR.B.070 (b) Termination of operation - providers of apron management service</li> </ul>           Commentaires<br/>           Selon l'ADR.OR.A.010 Competent Authority (b) nous comprenons que lorsqu'une entreprise se situe dans un pays et opère dans un autre pays, il est suffisant d'avoir un seul certificat ou d'être déclaré, et donc qu'un certificat par aérodrome n'est pas nécessaire<br/>           De même, l'ADR.OR.B.020 (5) Application for a certificate prévoit la nomination par le prestataire de service de gestion d'aire de trafic d'un accountable manager. Or celui-ci peut se trouver dans un autre pays que celui où est fournie la prestation de gestion d'aire de trafic, si celui-ci a été certifié dans un autre pays, nous pensons que la position de ce responsable ne conduit pas à avoir une vraie politique de développement de la sécurité.<br/>           ┆ Fin des opérations et validité du certificat :<br/>           L'ADR.OR.B.070 (b)(1) Termination of operation - providers of apron management service, impose à l'exploitant d'aérodrome de veiller à la continuité du service et de s'assurer de la continuité de la gestion d'aire de trafic. Cette règle impose d'avoir une autre entité tierce certifiée pour palier la fin d'activité du prestataire sortant. Cette IR ne prévoit pas le cas où le service de gestion d'aire de trafic ne serait plus rendu, ce qui laisse sous-entendre que ce service serait obligatoire sur tous les aérodromes européens entrant dans le champ du règlement (CE) N°216/2008 (cf. fiche n°4). Il faut prévoir, comme dans l'IR ADR.OR.B.065 du règlement (UE) N°139/2014 le cas d'une fin de prestation du service.<br/>           Proposition<br/>           ADR.OR.B.070 (b) Termination of operation - providers of apron management service<br/>           Supprimer b) 1 et b) 2)         </p> |



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|          | <p>Courtesy translation<br/> Certificat implementation<br/> Comments<br/> According to ADR. OR.A.010 Competent Authority (b), we understand that when a company is in one country and operates in another country, it is enough to have a certificate or be declared in consequence one certificate for one aerodrome is not mandatory.<br/> In this case, coordination between the competent authorities is not provided. We have doubts about the implementation of rules requiring coordination with competent authorities.<br/> End of operations and the validity of the certificate:<br/> ADR.OR.B.070 (b) (1) Termination of operation - Providers of apron management service, oblige the operator to deal with the service continuity and to ensure the continuity of apron management services.<br/> These rules oblige to have another third entity fully qualified to replace the termination of the previous company, in most cases, it will be the operator who will do this.<br/> It is necessary to have the same writing as IR ADR.OR.B.065 of the regulation (EU) n°139 / 2014 which plans a clear process in the case of the end of operation for an aerodrome.<br/> Proposal<br/> ADR.OR.B.070 (b) Termination of operation - providers of apron management service<br/> Delete b) 1) and b) 2)</p> |
| response | <p><i>Partially accepted</i></p> <p>The rule has been divided into two parts. The first part deals with the obligations of the provider of apron management services and the second part deals with the obligations of the aerodrome operator. It is true that the way the rule was written, it was implying that another organisation should be employed and the option to terminate the service hasn't been taken into account. For that reason, the responsibilities of the aerodrome operator have been redrafted in point (b)(1) in a more general way.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>790 <span style="float: right;">comment by: Assaeroporti - Associazione Italiana Gestori Aeroporti</span></p> <p>What exactly is meant by "terminate"? Clarification is needed. Proposed amendment: (a) include "permanently" before "terminate" and delete (b) entirely as aerodrome operators cannot be held liable if, e.g., an apron management provider terminates operations due to bankruptcy.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| response | <p><i>Partially accepted</i></p> <p>The term 'terminate' means that the provision of the service is discontinued permanently, therefore, the term 'permanently' has been added. Furthermore, the intent of point (b) is to ensure the continuity of the service when a provider of apron management services decides for any reason to terminate the provision of the service. The aerodrome operator being the overall responsible for the operation of the aerodrome should take all the appropriate measures. Industrial actions are out of the scope of this article.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | <p>901 <span style="float: right;">comment by: ADP : Aeroports de Paris</span></p> <p>Cf. ADP comment # 900</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Partially accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



The rule has been divided into two parts. The first part deals with the obligations of the provider of apron management services and the second part deals with the obligations of the aerodrome operator. It is true that the way the rule was written, it was implying that another organisation should be employed and the option to terminate the service has not been taken into account. For that reason, the responsibilities of the aerodrome operator have been redrafted in point (b)(1) in a more general way.

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                      |
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| comment  | 1001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | comment by: Turin Airport - TRN/LIMF |
|          | What exactly is meant by "terminate"? Clarification is needed. Proposed amendment: (a) include "permanently" before "terminate" and delete (b) entirely as aerodrome operators cannot be held liable if, e.g., an apron management provider terminates operations due to bankruptcy.                                                                                                                                                                                                                                                  |                                      |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                      |
|          | The term 'terminate' means that the provision of the service is discontinued permanently, therefore, the term 'permanently' has been added. Furthermore, the intent of point (b) is to ensure the continuity of the service when a provider of apron management services decides for any reason to terminate the provision of the service. The aerodrome operator being the overall responsible for the operation of the aerodrome should take all the appropriate measures. Industrial actions are out of the scope of this article. |                                      |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART C — ADDITIONAL AERODROME OPERATOR AND PROVIDER OF APRON MANAGEMENT SERVICES RESPONSIBILITIES (ADR.OR.C) — ADR.OR.C.010 Provider of apron management services responsibilities**

p. 19

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                         |
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| comment  | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | comment by: Jan Loncke  |
|          | ADR.OR.C.010 (c)<br>I suggest to add the words "provider of apron management services" in the sentence, so that there is no chance of misunderstanding which manual is being meant :<br>(c) the content of the aerodrome manual and <del>is</del> <b>the operations manual of the provider of apron management services;</b> and                                                                                                                                                                                                                                              |                         |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |
|          | The phrase used is 'Operations Manual', whereas for the aerodrome the phrase 'Aerodrome Manual' is used.                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |
| comment  | 469                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: DGAC France |
|          | <b>ADR.OR.C.010 Compliance of AMS provider with the aerodrome manual</b><br><b>Level 2 – Suggestion for clarification</b><br>ADR.OR.C.010 requires the AMS provider to comply with the aerodrome manual. However, only some portions of the aerodrome manual are relevant to the activities of the AMS provider, as stated by ADR.OR.E.005 (d). Furthermore, apart from its aerodrome manual, the aerodrome operator may define other documents containing rules regarding operations on the apron. At French aerodromes, aerodrome operators define "operating instructions" |                         |



which stem from high-level rules defined by the Préfet (local representative of the State), and apply to every entity operating at the aerodrome (including the apron).

The rules of coordination between the aerodrome operator and the AMS provider are normally defined in a generic document under the form of a written agreement, describing the coordination process between both entities. This high-level written agreement contains operational procedures for coordination, as stated by AMC1 ADR.OPS.D.010(a)(1), point (e). These coordination procedures shall foresee that the AMS provider complies with the relevant parts of the aerodrome manual, as well as with the relevant "operating instructions" set by the aerodrome operator.

Therefore, compliance of the AMS provider should be required towards :

- the content of its written agreement with the aerodrome operator, in a generic way,
- and the portions of the aerodrome manual which are relevant to their duties and responsibilities, in a more specific way.

Moreover, the same requirements should exist concerning coordination between the AMS provider and the air traffic services provider. Compliance of the AMS provider should be required towards :

- the content of its formal arrangement with the air traffic services provider (as required by ADR.OPS.D.010),
- and the portions of the air traffic services provider operating manual which are relevant to their duties and responsibilities.

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

The provider of apron management services, where established, is responsible for the safe provision of apron management services in accordance with:

(a) Regulation (EC) No 216/2008 and its Implementing Rules;

(b) the terms of the certificate or in accordance with its declaration, as applicable;

(c) the content of the portions of the aerodrome manual and the portions of the air traffic services provider operating manual which are relevant to its duties and responsibilities, and its operations manual;

(d) the content of its written agreement with the aerodrome operator, and its formal arrangements with the air traffic services provider, as required by ADR.OPS.xx.xx ; and

(d) any other manuals for the aerodrome equipment available at the aerodrome and used for the provision of apron management services.

response

*Partially accepted*

The provider of apron management services has to provide its services in accordance with its operations manual. In Subpart F, there is a requirement for the provider of apron management services to develop its operations manual in accordance with the relevant parts of the aerodrome manual, the operations manual of the air traffic services provider, the written agreements with the aerodrome operator and the formal arrangements with the air traffic services provider.

comment

578

comment by: *Belgian CAA*

The template for the certificate in ADR.AR.C.055 doesn't contain any "terms of the certificate". The content of the certificate is very limited.

response

*Accepted*

The terms of the certificate have been included under the Certificate Model Form.



|                                                                                                                                                                                                                                           |       |
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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART C — ADDITIONAL AERODROME OPERATOR AND PROVIDER OF APRON MANAGEMENT SERVICES RESPONSIBILITIES (ADR.OR.C) — ADR.OR.C.020 Findings and corrective actions</b> | p. 19 |
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|          |     |                                                                                                                                                                                                                                            |
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| comment  | 675 | comment by: <i>Federal Office of Civil Aviation FOCA</i>                                                                                                                                                                                   |
|          |     | ADR.OR.C.020 (b): It must be ensured that i.e. ANSP and other parties concerned are also informed. Therefore, FOCA suggests to change the wording to: "all other concerned parties or organisations" (instead of only aerodrome operator). |
| response |     | <i>Partially accepted</i>                                                                                                                                                                                                                  |
|          |     | The apron management services provider is a subcontractor of the aerodrome operator, therefore, all the coordination should be done through the aerodrome operator.                                                                        |

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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART C — ADDITIONAL AERODROME OPERATOR AND PROVIDER OF APRON MANAGEMENT SERVICES RESPONSIBILITIES (ADR.OR.C) — ADR.OR.C.030 Occurrence reporting</b> | p. 19 |
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| comment  | 34  | comment by: <i>CAA-NL</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|          |     | Paragraph number (c) should be (b).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| response |     | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | 49  | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|          |     | The aerodrome operator - in his function as the promotor of overall safety - depends on a functioning reporting system. Therefore, a mandatory line of reporting shall be established whenever the aerodrome operator is not the apron management services provider. Hence, ADR.OR.C.030 (a) shall stipulate an additional line of reporting from apron management service provider to the aerodrome operator. Amend (a) as follows:<br>"The aerodrome operator and the provider of apron management services shall report to the Competent Authority, and to any other organisation required by the State where the aerodrome is located, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and the Council <sup>(1)</sup> and Directive 2003/42/EC. The provider of apron management services shall notify the aerodrome operator when reporting the aforementioned." |
| response |     | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|          |     | The text has been revised accordingly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | 109 | comment by: <i>ADV - German Airports Association</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|          |     | The aerodrome operator - in his function as the promotor of overall safety - depends on a functioning reporting system. Therefore, a mandatory line of reporting shall be established whenever the aerodrome operator is not the apron management services provider. Hence, ADR.OR.C.030 (a) shall stipulate an additional line of reporting from apron management services provider to the aerodrome operator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



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|          | <p>Amend (a) as follows:<br/>         "The aerodrome operator and the provider of apron management services shall report to the Competent Authority, and to any other organisation required by the State where the aerodrome is located, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and the Council (1) and Directive 2003/42/EC. The provider of apron management services shall notify the aerodrome operator when reporting the aforementioned."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Accepted</i></p> <p>The text has been revised accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | <p>209 <span style="float: right;">comment by: <i>Swedavia AB - Swedish airports</i></span></p> <p>The aerodrome operator - in his function as the promotor of overall safety - depends on a functioning reporting system. Therefore, a mandatory line of reporting shall be established whenever the aerodrome operator is not the apron management services provider. Hence, ADR.OR.C.030 (a) shall stipulate an additional line of reporting from apron management services provider to the aerodrome operator.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Accepted</i></p> <p>The text has been revised accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | <p>278 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>The aerodrome operator - in his function as the promotor of overall safety - depends on a functioning reporting system. Therefore, a mandatory line of reporting shall be established whenever the aerodrome operator is not the apron management services provider. Hence, ADR.OR.C.030 (a) shall stipulate an additional line of reporting from apron management services provider to the aerodrome operator.</p> <p>Amend (a) as follows:<br/>         "The aerodrome operator and the provider of apron management services shall report to the Competent Authority, and to any other organisation required by the State where the aerodrome is located, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and the Council (1) and Directive 2003/42/EC. The provider of apron management services shall notify the aerodrome operator when reporting the aforementioned."</p> |
| response | <p><i>Accepted</i></p> <p>The text has been revised accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | <p>394 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span></p> <p>(a) The aerodrome operator - in his function as the promotor of overall safety - depends on a functioning reporting system. Therefore, a mandatory line of reporting shall be established whenever the aerodrome operator is not the apron management services provider. Hence, ADR.OR.C.030 (a) shall stipulate an additional line of reporting from apron management services provider to the aerodrome operator.</p> <p>Amend (a) as follows:<br/>         "The aerodrome operator and the provider of apron management services shall report to the</p>                                                                                                                                                                                                                                                                                                                                                    |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| response | <p>Competent Authority, and to any other organisation required by the State where the aerodrome is located, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and the Council (1) and Directive 2003/42/EC. The provider of apron management services shall notify the aerodrome operator when reporting the aforementioned."</p> <p><i>Accepted</i></p> <p>The text has been revised accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>416 <span style="float: right;">comment by: <i>Aéroports De Lyon</i></span></p> <p>The aerodrome operator - in his function as the promotor of overall safety - depends on a functioning reporting system. Therefore, a mandatory line of reporting shall be established whenever the aerodrome operator is not the apron management services provider. Hence, ADR.OR.C.030 (a) shall stipulate an additional line of reporting from apron management services provider to the aerodrome operator. Amend (a) as follows:<br/> "The aerodrome operator and the provider of apron management services shall report to the Competent Authority, and to any other organisation required by the State where the aerodrome is located, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and the Council (1) and Directive 2003/42/EC. The provider of apron management services shall notify the aerodrome operator when reporting the aforementioned."</p> |
| response | <p><i>Accepted</i></p> <p>The text has been revised accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>579 <span style="float: right;">comment by: <i>Belgian CAA</i></span></p> <p>An "organisation responsible for the design" is not always applicable. Better add "where applicable".</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| response | <p><i>Not accepted</i></p> <p>Point (b) refers to the technical faults and, therefore, organisations responsible for the aerodrome equipment design should be notified. This text has already been agreed and included in Regulation (EU) No 139/2014.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>620 <span style="float: right;">comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></span></p> <p>Attachment <a href="#">#52</a></p> <p>Comment 4</p> <p>Objet<br/> Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).<br/> Références<br/> ☑ ADR.AR.C035 (b)(1) et (d) Issuance of certificates<br/> ☑ ADR.OPS.D.001 Provision of services</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable", notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)

- ADR.OR.C.030 Occurrence reporting (c)

- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services

- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)

- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)

- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)

- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)

- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory



note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) ( 1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,

ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.

response *Noted*

comment 679

comment by: *Federal Office of Civil Aviation FOCA*

ADR.OR.C.030: It needs to be ensured that besides the Competent Authority all parties concerned are also informed (e.g. ANSP ). Therefore, FOCA suggest to add the wording as follows: "all other concerned parties or organisations". Justifications: malfunctions, technical defects may have an impact on other parties.

response *Not accepted*

The text has already been agreed and included in Regulation (EU) No 139/2014.



comment

701

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#53](#)

champ d'application

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

- ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable", notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
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- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

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- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces



règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

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ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) (1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,

ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.

response *Noted*



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| comment  | <p>791 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span></p> <p>The aerodrome operator - in his function as the promotor of overall safety - depends on a functioning reporting system. Therefore, a mandatory line of reporting shall be established whenever the aerodrome operator is not the apron management services provider. Hence, ADR.OR.C.030 (a) shall stipulate an additional line of reporting from apron management services provider to the aerodrome operator. Amend (a) as follows:<br/>         "The aerodrome operator and the provider of apron management services shall report to the Competent Authority, and to any other organisation required by the State where the aerodrome is located, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and the Council (1) and Directive 2003/42/EC. The provider of apron management services shall notify the aerodrome operator when reporting the aforementioned."</p> |
| response | <p><i>Accepted</i></p> <p>The text has been revised accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>861 <span style="float: right;">comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i></span></p> <p>(a)<br/>         The amendment proposed by EASA is to the subpoint (b) and not (c) of the ADR.OR.C.030. Change the text accordingly. Besides, a change to the text of the ADR.OR.C.030 (a) in force is proposed:<br/>         "The aerodrome operator and the provider of apron management services shall report to the Competent Authority, and to any other organisation required by the State where the aerodrome is located, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and the Council (1) and Directive 2003/42/EC. <u>The provider of apron management services shall inform the aerodrome operator of report contents without delay.</u>"</p>                                                                                                                                                                                                                   |
| response | <p><i>Accepted</i></p> <p>The following text has been added:<br/>         'The provider of apron management services shall notify the aerodrome operator when reporting the aforementioned.'</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>1002 <span style="float: right;">comment by: <i>Turin Airport - TRN/LIMF</i></span></p> <p>The aerodrome operator - in his function as the promotor of overall safety - depends on a functioning reporting system. Therefore, a mandatory line of reporting shall be established whenever the aerodrome operator is not the apron management services provider. Hence, ADR.OR.C.030 (a) shall stipulate an additional line of reporting from apron management services provider to the aerodrome operator. Amend (a) as follows:<br/>         "The aerodrome operator and the provider of apron management services shall report to the Competent Authority, and to any other organisation required by the State where the aerodrome is located, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and the Council (1) and Directive 2003/42/EC.</p>                                                                                                                                                |



|          |                                                                                                                   |
|----------|-------------------------------------------------------------------------------------------------------------------|
|          | The provider of apron management services shall notify the aerodrome operator when reporting the aforementioned." |
| response | <i>Accepted</i><br>The text has been revised accordingly.                                                         |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART C — ADDITIONAL AERODROME OPERATOR AND PROVIDER OF APRON MANAGEMENT SERVICES RESPONSIBILITIES (ADR.OR.C) — ADR.OR.C.05 Use of alcohol, psychoactive substances and medicines**

p. 19

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| comment  | 20<br>comment by: <i>Aena Aeropuertos, S.A.</i><br>Regarding consumption of alcohol, psychoactive substances and medicines, the obligation must be established by the service provider, but must also take into account and accomplish any regulation set by the airport operator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <i>Not accepted</i><br>It is already established in Regulation (EU) No 139/2014 as a responsibility of the aerodrome operator. The apron management services provider as subcontractor of the aerodrome operator has to implement the established procedures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | 198<br>comment by: <i>Union des Aéroports français - UAF</i><br><a href="#">Attachment #54</a><br>Please find attached Union des Aéroports Français (UAF) comments<br><br>Objet<br>Ediction de règles en matière de prévention sur la consommation d'alcool de substances psychoactives et de médicaments.<br>Références<br><input type="checkbox"/> ADR.OR.C.045 Use of alcohol, psychoactive substance and medicines<br>Commentaires<br>Cette IR impose au prestataire de service de gestion d'aire de trafic de mettre en place pour son personnel les procédures établies par l'exploitant d'aérodrome en matière de consommation d'alcool, de substances psychoactives et de médicaments.<br>Or, Les prescriptions en la matière relèvent clairement en France des autorités de police (préfet) et non de l'exploitant d'aérodrome.<br>Par ailleurs, en France, en matière de droit du travail, l'article R. 4228-21 du code du travail dispose qu' "il est interdit de laisser entrer ou séjourner dans les lieux de travail des personnes en état d'ivresse". Pour sa part, la consommation de drogue fait l'objet d'une interdiction absolue (art. L. 3421-1 du code de la santé publique). De plus, chaque employeur prend des dispositions vis-à-vis de ses salariés dans le cadre du règlement intérieur pris en application de l'article L. 6321-1 du code du travail.<br>Outre la question de la compétence de l'exploitant d'aérodrome quant à l'édiction de telles règles et à l'absence de prérogatives pour les faire respecter. Il conviendrait d'imposer directement cette obligation à tous les opérateurs voir à tous les personnels sur le modèle des dispositions régissant les contrôleurs aériens. |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|          | <p>Proposition<br/>Supprimer l' ADR.OR.C.045</p> <p>Courtesy translation<br/>Use of alcohol, psychoactive substance and medicines<br/>Comments<br/>This implementing rule oblige apron management service to implement for his staff procedures with regard to the consumption of alcohol, psychoactive substances and medicine.<br/>But, the prescriptions concerning the use of alcohol, psychoactive substance and medicines are clearly under the authorities of police and not under operator scope.<br/>However, regarding labor law, article R. 4228-21 of the labor French code arrange that «it is forbidden to let in or to stay in the workplaces of the people under the influence of drink ".<br/>For its part, the consumption of drug is the object of an absolute ban (art. L. 3421-1 of the public health code). Furthermore, every employer takes measures towards his employees within the framework of the internal rules taken in application of the article L. 6321-1 of the labor code.<br/>Besides the question of the skill of operator to write such rules and for the lack of power to enforce them, why do not impose directly this obligation to all the operators the model of measures taken by the French authority concerning air-traffic controllers?<br/>Proposal<br/>Delete ADR.OR.C.045</p> |
| response | <p><i>Not accepted</i></p> <p>The responsibility of the apron management services provider, as subcontractor to the aerodrome operator, is to implement the procedures established by the aerodrome operator. The responsibilities of the aerodrome operator have been agreed and established in Regulation (EU) No 139/2014.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>641 <span style="float: right;">comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</span></p> <p>Attachment <a href="#">#55</a></p> <p>Comment 9</p> <p>Objet<br/>Ediction de règles en matière de prévention sur la consommation d'alcool de substances psychoactives et de médicaments.<br/>Références<br/><input type="checkbox"/> ADR.OR.C.045 Use of alcohol, psychoactive substance and medicines<br/>Commentaires<br/>Cette IR impose au prestataire de service de gestion d'aire de trafic de mettre en place pour son personnel les procédures établies par l'exploitant d'aérodrome en matière de consommation d'alcool, de substances psychoactives et de médicaments.<br/>Or, Les prescriptions en la matière relèvent clairement en France des autorités de police (préfet) et non de l'exploitant d'aérodrome.<br/>Par ailleurs, en France, en matière de droit du travail, l'article R. 4228-21 du code du travail dispose qu' "il est interdit de laisser entrer ou séjourner dans les lieux de travail des personnes en état d'ivresse". Pour sa part, la consommation de drogue fait l'objet d'une interdiction absolue (art. L. 3421-1 du code de la santé publique). De plus, chaque employeur</p>                                                                                               |



prend des dispositions vis-à-vis de ses salariés dans le cadre du règlement intérieur pris en application de l'article L. 6321-1 du code du travail.

Outre la question de la compétence de l'exploitant d'aérodrome quant à l'édiction de telles règles et à l'absence de prérogatives pour les faire respecter. Il conviendrait d'imposer directement cette obligation à tous les opérateurs voir à tous les personnels sur le modèle des dispositions régissant les contrôleurs aériens.

Proposition

Supprimer l' ADR.OR.C.045

Courtesy translation

Use of alcohol, psychoactive substance and medicines

Comments

This implementing rule oblige apron management service to implement for his staff procedures with regard to the consumption of alcohol, psychoactive substances and medicine.

But, the prescriptions concerning the use of alcohol, psychoactive substance and medicines are clearly under the authorities of police and not under operator scope.

However, regarding labor law, article R. 4228-21 of the labor French code arrange that «it is forbidden to let in or to stay in the workplaces of the people under the influence of drink ».

For its part, the consumption of drug is the object of an absolute ban (art. L. 3421-1 of the public health code). Furthermore, every employer takes measures towards his employees within the framework of the internal rules taken in application of the article L. 6321-1 of the labor code.

Besides the question of the skill of operator to write such rules and for the lack of power to enforce them, why do not impose directly this obligation to all the operators the model of measures taken by the French authority concerning air-traffic controllers?

Proposal

Delete ADR.OR.C.045

response

*Not accepted*

The responsibility of the apron managements service provider, as subcontractor to the aerodrome operator, is to implement the procedures established by the aerodrome operator. The responsibilities of the aerodrome operator have been agreed and established in Regulation (EU) No 139/2014.

comment

684

comment by: ACA - Aéroports de la Côte d'Azur - NCE/LFMN

Objet

Ediction de règles en matière de prévention sur la consommation d'alcool de substances psychoactives et de médicaments.

Références

•

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

Commentaires

Cette IR impose au prestataire de service de gestion d'aire de trafic de mettre en place pour son personnel les procédures établies par l'exploitant d'aérodrome en matière de consommation d'alcool, de substances psychoactives et de médicaments.

Or, Les prescriptions en la matière relèvent clairement en France des autorités de police (préfet) et non de l'exploitant d'aérodrome.

Par ailleurs, en France, en matière de droit du travail, l'article R. 4228-21 du code du travail



dispose qu' "il est interdit de laisser entrer ou séjourner dans les lieux de travail des personnes en état d'ivresse". Pour sa part, la consommation de drogue fait l'objet d'une interdiction absolue (art. L. 3421-1 du code de la santé publique). De plus, chaque employeur prend des dispositions vis-à-vis de ses salariés dans le cadre du règlement intérieur pris en application de l'article L. 6321-1 du code du travail.

Outre la question de la compétence de l'exploitant d'aérodrome quant à l'édiction de telles règles et à l'absence de prérogatives pour les faire respecter. Il conviendrait d'imposer directement cette obligation à tous les opérateurs voir à tous les personnels sur le modèle des dispositions régissant les contrôleurs aériens.

Proposition

Supprimer l' ADR.OR.C.045

Courtesy translation

Use of alcohol, psychoactive substance and medicines

Comments

This implementing rule oblige apron management service to implement for his staff procedures with regard to the consumption of alcohol, psychoactive substances and medicine.

But, the prescriptions concerning the use of alcohol, psychoactive substance and medicines are clearly under the authorities of police and not under operator scope.

However, regarding labor law, article R. 4228-21 of the labor French code arrange that «it is forbidden to let in or to stay in the workplaces of the people under the influence of drink ". For its part, the consumption of drug is the object of an absolute ban (art. L. 3421-1 of the public health code). Furthermore, every employer takes measures towards his employees within the framework of the internal rules taken in application of the article L. 6321-1 of the labor code.

Besides the question of the skill of operator to write such rules and for the lack of power to enforce them, why do not impose directly this obligation to all the operators the model of measures taken by the French authority concerning air-traffic controllers?

Proposal

Delete ADR.OR.C.045

response *Not accepted*

The responsibility of the apron management service provider, as subcontractor to the aerodrome operator, is to implement the procedures established by the aerodrome operator. The responsibilities of the aerodrome operator have been agreed and established in Regulation (EU) No 139/2014.

comment **685** comment by: *Federal Office of Civil Aviation FOCA*

Not in line with Regulation art. 17 of Regulation No. 805/2011. FOCA suggests to use the same/analog requirements. Justification: For both, ANSP and Competent Authority, it is important to use the same set of rules and not to define different requirements, at least for staff providing apron management service directly to aircraft.

response *Noted*

comment **739** comment by: *Pau Pyrénées Airport - PUF/LFBP*

Attachment [#56](#)



### Prévention en matière de consommation d'alcool, de substances psychoactives et de médicaments

#### Objet

Edition de règles en matière de prévention sur la consommation d'alcool de substances psychoactives et de médicaments.

#### Références

☑ ADR.OR.C.045 Use of alcohol, psychoactive substance and medicines

#### Commentaires

Cette IR impose au prestataire de service de gestion d'aire de trafic de mettre en place pour son personnel les procédures établies par l'exploitant d'aérodrome en matière de consommation d'alcool, de substances psychoactives et de médicaments.

Or, Les prescriptions en la matière relèvent clairement en France des autorités de police (préfet) et non de l'exploitant d'aérodrome.

Par ailleurs, en France, en matière de droit du travail, l'article R. 4228-21 du code du travail dispose qu' "il est interdit de laisser entrer ou séjourner dans les lieux de travail des personnes en état d'ivresse". Pour sa part, la consommation de drogue fait l'objet d'une interdiction absolue (art. L. 3421-1 du code de la santé publique). De plus, chaque employeur prend des dispositions vis-à-vis de ses salariés dans le cadre du règlement intérieur pris en application de l'article L. 6321-1 du code du travail.

Outre la question de la compétence de l'exploitant d'aérodrome quant à l'édition de telles règles et à l'absence de prérogatives pour les faire respecter. Il conviendrait d'imposer directement cette obligation à tous les opérateurs voir à tous les personnels sur le modèle des dispositions régissant les contrôleurs aériens.

#### Proposition

Supprimer l' ADR.OR.C.045

#### Courtesy translation

Use of alcohol, psychoactive substance and medicines

#### Comments

This implementing rule oblige apron management service to implement for his staff procedures with regard to the consumption of alcohol, psychoactive substances and medicine.

But, the prescriptions concerning the use of alcohol, psychoactive substance and medicines are clearly under the authorities of police and not under operator scope.

However, regarding labor law, article R. 4228-21 of the labor French code arrange that «it is forbidden to let in or to stay in the workplaces of the people under the influence of drink ". For its part, the consumption of drug is the object of an absolute ban (art. L. 3421-1 of the public health code). Furthermore, every employer takes measures towards his employees within the framework of the internal rules taken in application of the article L. 6321-1 of the labor code.

Besides the question of the skill of operator to write such rules and for the lack of power to enforce them, why do not impose directly this obligation to all the operators the model of measures taken by the French authority concerning air-traffic controllers?

#### Proposal

Delete ADR.OR.C.045

response

*Not accepted*

The responsibility of the apron management service provider, as subcontractor to the aerodrome operator, is to implement the procedures established by the aerodrome operator. The responsibilities of the aerodrome operator have been agreed and established



in Regulation (EU) No 139/2014.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART D —  
MANAGEMENT (ADR.OR.D) — ADR.OR.D.005 Management system**

p. 20

comment 199

comment by: *Union des Aéroports français - UAF*

Attachment [#57](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

Références

ADR.OR.D.005 (8) (9) Management system (training)

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

o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services

ADR.OPS.D.085 Training

Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les sociétés d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D.085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

Courtesy translation

Training

Comments

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).

Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"

There is clearly an overlapping area between both training programs. Is it about the same



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|          | <p>training program?<br/>Finally the ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <p><i>Noted</i></p> <p>The aerodrome operator responsibilities concerning training have already been established under Regulation (EU) No 139/2014. The current proposal extends these responsibilities to the apron management services providers as well, and it specifies the training syllabus for marshallers, follow-me drivers and persons providing instructions to aircraft through radio frequency.</p>                                                                                                                                                                                                                                                |
| comment  | <p>244 <span style="float: right;">comment by: Aena</span></p> <p>We would make explicit that management and safety systems of an unique ATS provider would be valid so that there is no need to implement them separately or specifically for apron management service.</p>                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <p><i>Accepted</i></p> <p>In order to provide clarity, a new point (f) has been included in ADR.OR.D.005, as follows:<br/>'(f) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, their management system shall cover these activities in the scope of their certificates, as appropriate.'</p>                                                                                                                                                                                                                                                                     |
| comment  | <p>356 <span style="float: right;">comment by: Aéroports De Lyon</span></p> <p>The management system shall include:<br/>(5) the means to verify the safety performance of the aerodrome operator's or the provider of apron management services organisation in reference to the safety performance indicators and safety performance targets of the safety management system, and to validate the effectiveness of safety risk controls;<br/><a href="#">Commentaire: OK si le AMS Provider = Aerodrome Operator, sinon, il sera impossible d'aller contrôler un tiers. Quelle est le rôle de l'autorité compétente concernant ce type de vérification?</a></p> |
| response | <p><i>Noted</i></p> <p>The requirement is similar to that for aerodrome operator. Apart from the oversight by the Competent Authority, the organisation should have the means to measure its safety performance.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>642 <span style="float: right;">comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</span></p> <p><a href="#">Attachment #58</a></p> <p>Comment 10</p> <p>Objet<br/>Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.<br/>Références</p>                                                                                                                                                                                                                                                                                                                                                                  |



- ADR.OR.D.005 (8) (9) Management system (training)
- ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services
  - o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services
- ADR.OPS.D.085 Training

## Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les société d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

## Courtesy translation

## Training

## Comments

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).

Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"

There is clearly an overlapping area between both training programs. Is it about the same training program?

Finally the ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.

response

*Noted*

The aerodrome operator responsibilities concerning training had already been established under Regulation (EU) No 139/2014. The current proposal extends these responsibilities to the apron management service providers as well and it also specifies the training syllabus for marshallers, follow-me drivers and persons providing instructions to aircraft through radio frequency.

comment

686

comment by: ACA - Aéroports de la Côte d'Azur - NCE/LFMN



## Objet

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

## Références

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ADR.OR.D.005 (8) (9) Management system (training)

- o

AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services

- ADR.OPS.D.085 Training

## Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les sociétés d'assistance en escale).

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Enfin l'ADR.OPS.D085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

## Courtesy translation

## Training

## Comments

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).

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response

*Noted*

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| comment | 688                                                                                             | comment by: <i>Federal Office of Civil Aviation FOCA</i> |
|         | ADR.OR.D.005 (b) (9): FOCA suggests to add reference to ADR.OR.D.018, for a better readability. |                                                          |

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| response | <i>Noted</i> |
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| comment | 740 | comment by: <i>Pau Pyrénées Airport - PUF/LFBP</i> |
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Attachment [#59](#)

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

#### Objet

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

#### Références

- ADR.OR.D.005 (8) (9) Management system (training)
- ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services
  - o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services
- ADR.OPS.D.085 Training

#### Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les société d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

#### Courtesy translation

#### Training

#### Comments

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).

Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"



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|          | <p>There is clearly an overlapping area between both training programs. Is it about the same training program?</p> <p>Finally the ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.</p>                                                                                  |
| response | <p><i>Noted</i></p> <p>The aerodrome operator responsibilities concerning training had already been established under Regulation 139/2014. The current proposal extends these responsibilities to the apron management service providers as well and it also specifies the training syllabus for marshallers, follow-me drivers and persons providing instructions to aircraft through radio frequency</p> |

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| comment  | <p>860</p> <p>comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i></p> <p>(a)</p> <p>Organisation requirements for AMS providers are quite similar to the ones of the aerodrome operators. EASA states in the Explanatory Note (par. 2.4(b)) that this approach ensures a smooth certification process for aerodrome operators intending to provide the AMS by themselves. Apparently the reason for this approach is not sufficient to ask the AMS provider to comply to a huge set of rules and to implement an SMS, even though such a provider is not foreseen by ICAO in Annex 19. Is there any existing rule (in the Basic Regulation, for instance) that clearly supports the approach followed by the Agency?</p> |
| response | <p><i>Noted</i></p> <p>The aerodrome operator, according to Regulation (EU) No 139/2014 has to implement a management system that includes a safety management system. The same requirement will be also applicable for the air traffic services providers. Apron Management is considered as part of aerodrome operations. Paragraphs (d) and (e) of article 8a of the Basic Regulation implies that apron management services providers are, in principle, subject to certification. It is not appropriate to subject all the organisations under the Basic Regulation to develop a management system, and on the other hand to allow apron management services providers to be certified without having a management system.</p>         |

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| <p><b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART D — MANAGEMENT (ADR.OR.D) — ADR.OR.D.015 Personnel requirements — aerodrome operators</b></p> | <p>p. 20</p> |
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| comment  | <p>745</p> <p>comment by: <i>Pau Pyrénées Airport - PUF/LFBP</i></p> |
| response | <p><i>Noted</i></p>                                                  |

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| <p><b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART D — MANAGEMENT (ADR.OR.D) — ADR.OR.D.016 Personnel requirements — providers of apron management services</b></p> | <p>p. 21</p> |
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| comment | <p>87</p> <p>comment by: <i>Flughafen Berlin Brandenburg GmbH</i></p> |
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|          | Can these requirements fulfilled by the nominated persons in the aerodrome operator certificate? Clarification is needed.                                                                                                                                                                                                                                                                                                                        |
| response | <p><i>Accepted</i></p> <p>In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:</p> <p>‘(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.’</p> |
| comment  | <p>110 <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p>                                                                                                                                                                                                                                                                                                                                               |
|          | (a), (b) and (c) Can these requirements also be fulfilled by the nominated persons in the aerodrome operator certificate? Clarification is needed.                                                                                                                                                                                                                                                                                               |
| response | <p><i>Accepted</i></p> <p>In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:</p> <p>‘(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.’</p> |
| comment  | <p>210 <span style="float: right;">comment by: <i>Swedavia AB - Swedish airports</i></span></p>                                                                                                                                                                                                                                                                                                                                                  |
|          | (a), (b) and (c) Can these requirements be fulfilled by the nominated persons in the aerodrome operator certificate? Clarification is needed.                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Accepted</i></p> <p>In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:</p> <p>‘(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.’</p> |
| comment  | <p>245 <span style="float: right;">comment by: <i>Aena</i></span></p>                                                                                                                                                                                                                                                                                                                                                                            |
|          | There would be explicit reference to the fact that the person responsible for safety management system could be the same to that of ATS.                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Accepted</i></p> <p>In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:</p> <p>‘(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.’</p> |



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| comment  | 259                                                                                                                                                                                                                                                                                                                                                                                                                    | comment by: <i>Nordic ADR Group (NO, SE, DK, FI, IC &amp; EE)</i> |
|          | <p><b>ADR.OR.D.016:</b><br/>When are personnel adequately qualified? This should not be open to interpretation, if the regulation shall provide an even playing field in accordance with the basic regulation.</p>                                                                                                                                                                                                     |                                                                   |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                   |
|          | <p>The phrase 'adequately qualified' is not used in the text. The phrase 'adequately trained' is used, and it refers to the training programme. For apron management services personnel, this is established in ADR.OPS.D.085.</p>                                                                                                                                                                                     |                                                                   |
| comment  | 279                                                                                                                                                                                                                                                                                                                                                                                                                    | comment by: <i>Avinor</i>                                         |
|          | <p>(a), (b) and (c) Can these requirements be fulfilled by the nominated persons in the aerodrome operator certificate? Clarification is needed.</p>                                                                                                                                                                                                                                                                   |                                                                   |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                   |
|          | <p>In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:<br/>'(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.'</p> |                                                                   |
| comment  | 360                                                                                                                                                                                                                                                                                                                                                                                                                    | comment by: <i>Aéroports De Lyon</i>                              |
|          | <p><b>ADR.OR.D.016</b><br/>The provider of apron management services shall nominate a person responsible for the development, maintenance and day-to-day management of the safety management system<br/><a href="#">Commentaire : Si AMS Provider = Aerodrome Operator, faudra-t-il tout dupliquer en matière de RH (2 RSGS, 2DR, etc...) ?</a></p>                                                                    |                                                                   |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                   |
|          | <p>In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:<br/>'(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.'</p> |                                                                   |
| comment  | 395                                                                                                                                                                                                                                                                                                                                                                                                                    | comment by: <i>ACI EUROPE (Airports Council International)</i>    |
|          | <p>(a), (b) and (c) Can these requirements be fulfilled by the nominated persons in the aerodrome operator certificate? Clarification is needed.</p>                                                                                                                                                                                                                                                                   |                                                                   |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                   |
|          | <p>In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:<br/>'(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that</p>                                                                                                                                     |                                                                   |



requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.'

comment 519 comment by: *BAA Airside operations*

OR.D.016(a) which states "the provider of AMS shall appoint an accountable manager" – What happens if there isn't a dedicated provider of AMS? In that case where does the NPA define with whom the accountabilities sit in this situation – with the ADR OPR or the ANSP?

response *Accepted*

In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:

'(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.'

comment 766 comment by: *HIA - Highlands and Islands Airports Limited*

Items (d),(e)and (f) - consider adding "competent" to personnel

response *Not accepted*

The term established by Regulation (EC) No 216/2008 and Regulation (EU) No 139/2014 is 'qualified'.

comment 792 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

(a), (b) and (c) Can these requirements be fulfilled by the nominated persons in the aerodrome operator certificate? Clarification is needed.

response *Accepted*

In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:

'(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.'

comment 854 comment by: *Vienna International Airport*

It should be possible that the accountable manager, the manager operational services and the safety manager are the same persons as required for aerodrome operator certificate. Please clarify.

response *Accepted*

In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:

'(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities



within their management system.’

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| comment  | <p>862 <span style="float: right;">comment by: <i>ENAC Ente Nazionale per l’Aviazione Civile (Italia)</i></span></p> <p>When the AMS is entirely provided by the aerodrome operator might the appointed/nominated persons within the aerodrome certificate be considered eligible for the corresponding figures foreseen in (a), (b) and (c)? If yes, is it possible to provide clarification at least in appropriate GM?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Accepted</i></p> <p>In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:</p> <p>‘(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.’</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>921 <span style="float: right;">comment by: <i>The Civil Aviation Authority</i></span></p> <p>It should be clearly defined if accountable manager and people responsible for specified tasks could also be a part of aerodrome operator company structure. For example: could an Aerodrome Safety Manager be also Apron Management Service Safety Manager? GM1 ADR.OR.D.016 defines only which work stations could or could not be combined (but only within AMS organization structure).</p> <p>In our opinion the aerodrome operator should freely define whether specified tasks of apron management services will be performed separately of in combine with other airport functions – this possibility must be clearly mentioned in the new regulation.</p> <p>This comment is connected with Polish CAA comment to Article 1 of regulation (NPA 2013-24) to add new term defined in Commission Regulation No 139/2014.</p> |
| response | <p><i>Accepted</i></p> <p>In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:</p> <p>‘(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities within their management system.’</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>1003 <span style="float: right;">comment by: <i>Turin Airport - TRN/LIMF</i></span></p> <p>(a), (b) and (c) Can these requirements be fulfilled by the nominated persons in the aerodrome operator certificate?<br/>Clarification is needed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| response | <p><i>Accepted</i></p> <p>In order to provide clarity, a new point (g) has been included in ADR.OR.D.016, as follows:</p> <p>‘(g) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that requirements of points (a) to (f) are included in their established allocation of responsibilities</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



within their management system.'

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART D — MANAGEMENT (ADR.OR.D) — ADR.OR.D.017 Training and proficiency check programmes — aerodrome operators** p. 21

comment

723

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#60](#)

**Répartition des missions, responsabilités et principe de sécurité juridique**

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

┆ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services

o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs

┆ ADR.OR.D.032 Safety reporting system - providers of apron management services

┆ ADR.OPS.D.001 Provision of services

o GM1 ADR.OPS.D.001 Provision of services

┆ ADR.OPS.D.005 Functions of a provider of apron management services

┆ ADR.OPS.D.060 Aircraft parking

o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ADR.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de



"décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even



if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another entity". GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>ADR.OPS.D.040 Right of way on the apron (b) (3)<br/>         Replace :<br/>         (3) other vehicles in accordance with the rules established by the aerodrome operator.<br/>         by<br/>         (3) other vehicles in accordance with local regulations.<br/>         AMC2.ADR.OPS.D.045 (c) Management of the apron safety<br/>         Replace :<br/>         (c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.<br/>         by<br/>         (c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Noted</i></p> <p>Please refer to the replies in the respective rules.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>741 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p>Attachment <a href="#">#61</a></p> <p>Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.</p> <p>Objet<br/>         Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.</p> <p>Références</p> <ul style="list-style-type: none"> <li>┆ ADR.OR.D.005 (8) (9) Management system (training)</li> <li>┆ ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services             <ul style="list-style-type: none"> <li>o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services</li> </ul> </li> <li>┆ ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.</p> <p>La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les sociétés d'assistance en escale).</p> <p>En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).</p> <p>Enfin l'ADR.OPS.D.085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.</p> <p>Courtesy translation</p> |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|          | <p>Training<br/>Comments</p> <p>The requirements of training defined by rules will create several difficulties. The first one concerns the difficulty to require training in safety for companies evolving on apron area and with which aerodrome operator has no contractual link (arrangement).</p> <p>Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"</p> <p>There is clearly an overlapping area between both training programs. Is it about the same training program?</p> <p>Finally ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.</p> |
| response | <p><i>Noted</i></p> <p>The aerodrome operator responsibilities concerning training had already been established under Regulation 139/2014. The current proposal extends these responsibilities to the apron management service providers as well and it also specifies the training syllabus for marshallers, follow-me drivers and persons providing instructions to aircraft through radio frequency.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

|                                                                                                                                                                                                                       |              |
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| <p><b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART D — MANAGEMENT (ADR.OR.D) — ADR.OR.D.018 Training and proficiency check programmes — providers of apron management services</b></p> | <p>p. 21</p> |
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|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| comment | <p>188</p> <p>comment by: <i>Union des Aéroports français - UAF</i></p> <p>Attachment <a href="#">#62</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OR.D.018 Training and proficiency check programs - providers of apron management services       <ul style="list-style-type: none"> <li>o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs</li> </ul> </li> <li><input type="checkbox"/> ADR.OR.D.032 Safety reporting system - providers of apron management services</li> <li><input type="checkbox"/> ADR.OPS.D.001 Provision of services       <ul style="list-style-type: none"> <li>o GM1 ADR.OPS.D.001 Provision of services</li> </ul> </li> <li><input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services</li> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE</li> </ul> </li> </ul> <p>Commentaires</p> |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:



“The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the is performance by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while l'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) “shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ”.

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan “The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome”.

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of



services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

“The community legislation has to be certain and its predictable application for the citizens” CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

“The principle of legal safetyrequires [...] that any community act which produces legal effects is clear, exact” (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

“The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences” (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :

“The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

Please refer to the replies in the respective rules.

comment 200

comment by: *Union des Aéroports français - UAF*

Attachment [#63](#)



Please find attached Union des Aéroports Français (UAF) comments

#### Objet

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

#### Références

- ADR.OR.D.005 (8) (9) Management system (training)
- ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services
  - o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services
- ADR.OPS.D.085 Training

#### Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les sociétés d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

#### Courtesy translation

##### Training

##### Comments

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).

Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"

There is clearly an overlapping area between both training programs. Is it about the same training program?

Finally the ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.

response

#### Noted

The aerodrome operator responsibilities concerning training had already been established under Regulation 139/2014. The current proposal extends these responsibilities to the apron management service providers as well and it also specifies the training syllabus for



marshallers, follow-me drivers and persons providing instructions to aircraft through radio frequency.

comment 246 comment by: Aena

We would make explicit the idea of that there is no need for specific programs for apron management in case of ATS also being provided. Thus training plans, competence verification, etc. would be included together with those of apron management.

response *Accepted*

In order to provide clarity a new point (e) has been included in ADR.OR.D.018, as follows:

'(e) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that the requirements of points (a) to (d) are included in their training and proficiency check programmes.'

comment 260 comment by: Nordic ADR Group (NO, SE, DK, FI, IC & EE)

ADR.OR.D.018:

What should be contained in a training programme. If there is a requirement for training, the requirement should be stated in the regulation otherwise it is not a requirement.

response *Noted*

The training programme is included in ADR.OPS.D.085 and ADR.OPS.E.035 and the related AMC and GM.

comment 520 comment by: BAA Airside operations

OR.D.018 – training – If there is no dedicated provider of AMS this section is unclear. A better structure would be to say “staff providing AMS shall be trained” and not phrase the sentence of the often non-existent provider.

response *Accepted*

In order to provide clarity a new point (e) has been included in ADR.OR.D.018, as follows:

'(e) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively provide apron management service, they shall ensure that the requirements of points (a) to (d) are included in their training and proficiency check programmes.'

comment 621 comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD

Attachment [#64](#)

Comment 4

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).



## Références

- ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services

## Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

## 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

## Courtesy translation

## Field of application

## Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").



In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented  
2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) (1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :  
ADR.OPS.D.015 Management of aircraft movement on the apron,  
ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,  
ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.

response *Noted*

comment 632

comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*

Attachment [#65](#)

Comment 7

Répartition des missions, responsabilités et principe de sécurité juridique

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.



## Références

- ADR.OR.D.018 Training and proficiency check programs - providers of apron management services
  - o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs
- ADR.OR.D.032 Safety reporting system - providers of apron management services
- ADR.OPS.D.001 Provision of services
  - o GM1 ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services
- ADR.OPS.D.060 Aircraft parking
  - o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

## Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;

- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;



"le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, "

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training



programme for staff involved in apron management, while ADR.OR.D.017 (a) plan “The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome”.

GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

“The community legislation has to be certain and its predictable application for the citizens” CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

“The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact” (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; “The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences” (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

“The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliance by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

Please refer to the replies in the respective rules.



comment

643

comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD

Attachment [#66](#)

Comment 10

Objet

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

Références

 ADR.OR.D.005 (8) (9) Management system (training) ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services

o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services

 ADR.OPS.D.085 Training

Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les sociétés d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

Courtesy translation

Training

Comments

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).

Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"

There is clearly an overlapping area between both training programs. Is it about the same training program?

Finally the ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies



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|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p>handler.</p> <p><i>Noted</i></p> <p>The aerodrome operator responsibilities concerning training have already been established under Regulation (EU) No 139/2014. The current proposal extends these responsibilities to the apron management service providers as well and it also specifies the training syllabus for marshalls, follow-me drivers and persons providing instructions to aircraft through radio frequency.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| comment  | <p>682 <span style="float: right;">comment by: ACA - Aéroports de la Côte d'Azur - NCE/LFMN</span></p> <p>Objet<br/>Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.</p> <p>Références</p> <ul style="list-style-type: none"> <li>• ADR.OR.D.018 Training and proficiency check programs - providers of apron management services</li> <li>AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs</li> <li>• ADR.OR.D.032 Safety reporting system - providers of apron management services</li> <li>• ADR.OPS.D.001 Provision of services       <ul style="list-style-type: none"> <li>o GM1 ADR.OPS.D.001 Provision of services</li> <li>• ADR.OPS.D.005 Functions of a provider of apron management services</li> <li>• ADR.OPS.D.060 Aircraft parking           <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE</li> </ul> </li> </ul> </li> </ul> <p>Commentaires</p> <p>Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.</p> <p>Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.</p> <p>Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "</p> <p><i>un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome</i></p> <p>".</p> <p>L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion</p> |



d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "

*L'exploitant d'aérodrome établit et met en*

*oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".*

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;

- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :



(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the is performance by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while l'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safetyrequires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

"The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|          | <p>ADR.OPS.D001 :</p> <p>We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :</p> <p>"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".</p> <p>GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"</p> <p>ADR.OPS.D.040 Right of way on the apron (b) (3)</p> <p>Replace :</p> <p>(3) other vehicles in accordance with the rules established by the aerodrome operator.</p> <p>by</p> <p>(3) other vehicles in accordance with local regulations.</p> <p>AMC2.ADR.OPS.D.045 (c) Management of the apron safety</p> <p>Replace :</p> <p>(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.</p> <p>by</p> <p>(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.</p> |
| response | <p><i>Noted</i></p> <p>The aerodrome operator responsibilities concerning training had already been established under Regulation 139/2014. The current proposal extends these responsibilities to the apron management service providers as well and it also specifies the training syllabus for marshallers, follow-me drivers and persons providing instructions to aircraft through radio frequency.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | <p>689 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span></p> <p>Not in line with Regulation (EU) No. 805/2011. For both ANSP and Competent Authority it is important to use the same set of rules and not define different requirements for different tasks, at least for apron management provider staff providing direct service to aircraft.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Noted</i></p> <p>The training programme for ANSPs and staff providing taxiing instructions to aircraft through R/T is almost identical. Moreover, Regulation (EU) No 805/2011 will be repealed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | <p>724 <span style="float: right;">comment by: <i>Pau Pyrénées Airport - PUF/LFBP</i></span></p> <p><a href="#">Attachment #67</a></p> <p style="text-align: center;"><b>Répartition des missions, responsabilités et principe de sécurité juridique</b></p> <p>Objet</p> <p>Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

┆ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services

o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs

┆ ADR.OR.D.032 Safety reporting system - providers of apron management services

┆ ADR.OPS.D.001 Provision of services

o GM1 ADR.OPS.D.001 Provision of services

┆ ADR.OPS.D.005 Functions of a provider of apron management services

┆ ADR.OPS.D.060 Aircraft parking

o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit

s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ADR.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;

- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;



- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ADR.OPS.D001 and the GM1. ADR.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel



and organizations operating or providing services at the aerodrome, ".  
 ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".  
 GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:  
 - Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;  
 - Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).  
 The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.  
 For example, the Court of justice and the court of the Union judged that :  
 "The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;  
 "The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).  
 Proposal  
 ADR.OPS.D001 :  
 We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :  
 "The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another entity".  
 GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"  
 ADR.OPS.D.040 Right of way on the apron (b) (3)  
 Replace :  
 (3) other vehicles in accordance with the rules established by the aerodrome operator.  
 by  
 (3) other vehicles in accordance with local regulations.  
 AMC2.ADR.OPS.D.045 (c) Management of the apron safety  
 Replace :  
 (c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.  
 by  
 (c) The aerodrome operator should establish and implement procedures to deal with the



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| response | <p>deviations from the established rules.</p> <p><i>Noted</i></p> <p>Please refer to the replies in the respective rules.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>742 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #68</a></p> <p>Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.</p> <p>Objet<br/>Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.</p> <p>Références</p> <ul style="list-style-type: none"> <li>┆ ADR.OR.D.005 (8) (9) Management system (training)</li> <li>┆ ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services <ul style="list-style-type: none"> <li>o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services</li> </ul> </li> <li>┆ ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.</p> <p>La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les sociétés d'assistance en escale).</p> <p>En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).</p> <p>Enfin l'ADR.OPS.D.085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.</p> <p>Courtesy translation<br/>Training<br/>Comments</p> <p>The requirements of training defined by rules will create several difficulties.</p> <p>The first one concerns the difficulty to require training in safety for companies evolving on apron area and with which aerodrome operator has no contractual link (arrangement).</p> <p>Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"</p> |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|          | <p>There is clearly an overlapping area between both training programs. Is it about the same training program?<br/>Finally ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Noted</i></p> <p>The aerodrome operator responsibilities concerning training had already been established under Regulation 139/2014. The current proposal extends these responsibilities to the apron management service providers as well as and it also specifies the training syllabus for marshalls, follow-me drivers and persons providing instructions to aircraft through radio frequency.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | <p>984 <span style="float: right;">comment by: <i>FNAM</i></span></p> <p>The requirements of training defined by rules will create several difficulties.<br/>The first one concerns the difficulty to require trainings in safety for companies evolving on apron area and for which aerodrome operator have no contractual link.<br/>Furthermore, as indicated in the project of Regulation about groundhandling, suppliers of groundhandling services shall ensure that all their employees involved in the provision of groundhandling services, including regularly attend specific and recurrent training to enable them to perform the tasks assigned to them.<br/>Groundhandling suppliers are fully responsible of their staff training and additional requirements by aerodrome operator are consequently difficult to understand</p> <p>The roles and obligations of each entities involved in apron services, concerneing staff training, are not enough clearly defined by the text.</p> |
| response | <p><i>Noted</i></p> <p>The aerodrome operator responsibilities concerning training had already been established under Regulation 139/2014. The current proposal extends these responsibilities to the apron management service providers as well and it also specifies the training syllabus for marshalls, follow-me drivers and persons providing instructions to aircraft through radio frequency.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART D — MANAGEMENT (ADR.OR.D) — ADR.OR.D.020 Facilities requirements</b> | p. 21-22 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------|

|          |                                                                                                                                                                                                 |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>247 <span style="float: right;">comment by: <i>Aena</i></span></p> <p>The aerodrome operator is not always the owner of those facilities. A more general statement should be considered.</p> |
| response | <p><i>Noted</i></p>                                                                                                                                                                             |
| comment  | <p>746 <span style="float: right;">comment by: <i>Pau Pyrénées Airport - PUF/LFBP</i></span></p>                                                                                                |
| response | <p><i>Noted</i></p>                                                                                                                                                                             |



**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART D —  
MANAGEMENT (ADR.OR.D) — ADR.OR.D.030 Safety reporting system — aerodrome operators**

p. 22

comment 729

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#69](#)

**Répartition des missions, responsabilités et principe de sécurité juridique**

**Objet**

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

**Références**

- ┆ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services
  - o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs
- ┆ ADR.OR.D.032 Safety reporting system - providers of apron management services
  - ┆ ADR.OPS.D.001 Provision of services
    - o GM1 ADR.OPS.D.001 Provision of services
  - ┆ ADR.OPS.D.005 Functions of a provider of apron management services
  - ┆ ADR.OPS.D.060 Aircraft parking
    - o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
    - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

**Commentaires**

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit

s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ADR.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de



responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall



ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff

involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>ADR.OPS.D.040 Right of way on the apron (b) (3)<br/>         Replace :<br/>         (3) other vehicles in accordance with the rules established by the aerodrome operator.<br/>         by<br/>         (3) other vehicles in accordance with local regulations.<br/>         AMC2.ADR.OPS.D.045 (c) Management of the apron safety<br/>         Replace :<br/>         (c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.<br/>         by<br/>         (c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.</p> |
| response | <p><i>Noted</i></p> <p>Please refer to the replies in the respective rules.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

|                                                                                                                                                                                              |       |
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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART D — MANAGEMENT (ADR.OR.D) — ADR.OR.D.032 Safety reporting system — providers of apron management services</b> | p. 22 |
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|          |                                                                                                                                                                                                                                                 |                                                                                                                                              |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 4                                                                                                                                                                                                                                               | comment by: <i>Jan Loncke</i>                                                                                                                |
|          | <p>ADR.OR.D.032 (b)<br/>         Typo in the sentence, it should be ADR.OR.D.005 (b) (3) and not ADR.OR.D.006 (b) (3). :<br/>         "(b) The provider of apron management system, in accordance with ADR.OR.D.0056 (b) (3) shall : [...]"</p> |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                 |                                                                                                                                              |
|          | The reference has been corrected.                                                                                                                                                                                                               |                                                                                                                                              |
| comment  | 35                                                                                                                                                                                                                                              | comment by: <i>CAA-NL</i>                                                                                                                    |
|          | Is the reference to ADR.OR.D.006-(b)(3) correct? Maybe ADR.OR.D.005-(b)(3) is meant.                                                                                                                                                            |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                    |                                                                                                                                              |
|          | The reference has been corrected.                                                                                                                                                                                                               |                                                                                                                                              |
| comment  | 151                                                                                                                                                                                                                                             | comment by: <i>CAA Austria - Ministry of Transport</i>                                                                                       |
|          | We propose to link this article to the regulation (EU) 996/2010 and upcoming update.                                                                                                                                                            |                                                                                                                                              |
| response | <i>Not accepted</i>                                                                                                                                                                                                                             |                                                                                                                                              |
|          | This specific article refers to the internal occurrence reporting. Link with Regulation (EU) 996/2010 is established through ADR.OR.C.030.                                                                                                      |                                                                                                                                              |
| comment  | 166                                                                                                                                                                                                                                             | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|          | <p>Replace ADR.OR.D.006 (b) (3) [doesn't exist] with ADR.OR.D.005 (b) (3)<br/>In paragraph b.2 add "and anonymous" to underline that a just culture is the goal</p> <p>"[...]system may be used for the voluntary <b>and anonymous</b> reporting of any defect, fault and safety hazard which could impact safety[...]"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Accepted</i></p> <p>The reference has been corrected. As for the second comment, a new point(c) has been added, similar to the one included in ADR.OR.D.30, as follows:</p> <p>'(c) The safety reporting system shall protect the identity of the reporter, encourage voluntary reporting and include the possibility that reports may be submitted anonymously.'</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | <p>190 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p>Attachment <a href="#">#70</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet</p> <p>Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.</p> <p>Références</p> <ul style="list-style-type: none"> <li>ı ADR.OR.D.018 Training and proficiency check programs - providers of apron management services       <ul style="list-style-type: none"> <li>o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs</li> </ul> </li> <li>ı ADR.OR.D.032 Safety reporting system - providers of apron management services</li> <li>ı ADR.OPS.D.001 Provision of services       <ul style="list-style-type: none"> <li>o GM1 ADR.OPS.D.001 Provision of services</li> <li>ı ADR.OPS.D.005 Functions of a provider of apron management services</li> <li>ı ADR.OPS.D.060 Aircraft parking           <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE</li> </ul> </li> </ul> </li> </ul> <p>Commentaires</p> <p>Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.</p> <p>Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.</p> <p>Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".</p> |



L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

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Propositions

ADR.OPS.D001 :

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GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par



(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, "

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff

involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

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- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
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The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

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"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the



aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response

*Noted*

The provider of apron management services is obliged to report the incidents to the aerodrome operator as required by ADR.OR.D.030. On the other hand, the provider of apron management services, having its own management system, which includes safety management, should also have an internal safety reporting system to manage its business.

comment

248

comment by: *Aena*

It should be clear that this safety system could be common to that of ATS.

response

*Accepted*

This article applies when an apron management services provider has been established. It is reasonable to understand that in its absence, the safety reporting of the aerodrome operator and the air traffic services provider shall be used.

comment

262

comment by: *Nordic ADR Group (NO, SE, DK, FI, IC & EE)*

ADR.OR.D.032(b):

The reference ADR.OR.D.006(b)(3) does not exist.

response

*Accepted*

The reference has been corrected to ADR.OR.D.005(b)(3).

comment

474

comment by: *DGAC France*

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

**Level 2 – Suggestion for clarification**



**Level 3 – Typographical mistake**

The link between the AMS provider's reporting system and the aerodrome operator's reporting system is not clear.

According to ADR.OR.D.030, the AMS provider shall, as an organization providing services at the aerodrome, use the aerodrome operator's safety reporting system. So why require the AMS provider to have its own safety reporting system in addition ? In fact, ADR.OR.D.030 should only apply to entities not having their own safety reporting system.

This leads to some inconsistencies in ADR.OR.D.040. In particular, the distribution of tasks between the AMS provider and the aerodrome operator is not clear :

- according to (b)(3), all the reports of the AMS provider have to be submitted to the reporting system of the aerodrome operator : are the two systems only coordinated, or is the AMS provider system a subsystem of the aerodrome operator's ? The aerodrome operator should only be involved when the report is relevant to its safety concerns ;
- according to (c)(3), the AMS provider shall "participate in the investigation of the reports conducted by the aerodrome operator". This sentence is not clear : is it about the participation of AMS providers to analysis and assessment of reports stemming from the aerodrome operator safety reporting system ? This should be clarified.

A choice has to be made between two options :

- Either the AMS provider shall contribute to the safety reporting system of the aerodrome operator, as an organization operating at the aerodrome,
- Or the AMS provider shall have its own safety reporting system, and ensure involvement of the aerodrome operator when the latter is relevant to the safety concern.

Furthermore, there are some editorial mistakes in ADR.OR.D.032 (b) and (b)(1).

It is therefore proposed to modify ADR.OR.D.030 and ADR.OR.D.032 as follows :

**ADR.OR.D.030 Safety reporting system — aerodrome operators**

(a) The aerodrome operator shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome and not using their own safety reporting system, in order to promote safety at, and the safe use of, the aerodrome.

[...]

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

(a) The provider of apron management services shall establish and implement a safety reporting system for its personnel.

(b) The provider of apron management ~~system~~ services, in accordance with ADR.OR.D.006005 (b) (3) shall:

- (1) ensure that its personnel uses the safety reporting system for the mandatory reporting of any accident, serious incident and occurrence; and
- (2) ensure that the safety reporting system may be used for the voluntary reporting of any defect, fault and safety hazard which could impact safety; and
- ~~(3) ensure that all the reports are submitted to the safety reporting system of the aerodrome operator.~~

(c) The provider of apron management services shall:

- (1) record all reports submitted;
- (2) in cooperation with the aerodrome operator ~~and~~ or the air traffic services provider when relevant to the safety concern, analyse and assess the reports, as appropriate, in order to address safety deficiencies and identify trends;
- ~~(3) participate in the investigation of the reports conducted by the aerodrome operator, as appropriate; and~~
- (4) refrain from attribution of blame in line with the 'just culture' principles.

(c) The provider of apron management services shall participate in the investigations



conducted by the aerodrome operator about reports stemming from the latter's safety reporting system, as appropriate.

response *Not accepted*

In order to understand the logic behind this article, one has to keep in mind firstly that the aerodrome operator is the overall responsible for the operation of the aerodrome, therefore, all the reports shall be submitted to its safety reporting system, and secondly that the apron management services provider as an organisation subject to certification has to implement its own safety management system, that includes a safety reporting system.

Points (d)(2) and (d)(3) ensure that the apron management service provider participates, as appropriate, to the investigation of the reports related to apron management submitted either by itself or from another organisation to the aerodrome operator safety reporting system.

comment

633

comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*

Attachment [#71](#)

Comment 7

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

┆ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services

o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs

┆ ADR.OR.D.032 Safety reporting system - providers of apron management services

┆ ADR.OPS.D.001 Provision of services

o GM1 ADR.OPS.D.001 Provision of services

┆ ADR.OPS.D.005 Functions of a provider of apron management services

┆ ADR.OPS.D.060 Aircraft parking

o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit

s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de



sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for



violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff

involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1



ADR.OPS.D.001) as follows :

“The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response

*Noted*

The provider of apron management services is obliged to report the incidents to the aerodrome operator as required by ADR.OR.D.030. On the other hand, the provider of apron management services, having its own management system, which includes safety management, should also have an internal safety reporting system to manage its business.

comment

725

comment by: *Pau Pyrénées Airport - PUF/LFBP*

[Attachment #72](#)

### **Répartition des missions, responsabilités et principe de sécurité juridique**

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

┆ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services

o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs

┆ ADR.OR.D.032 Safety reporting system - providers of apron management services

┆ ADR.OPS.D.001 Provision of services

o GM1 ADR.OPS.D.001 Provision of services

┆ ADR.OPS.D.005 Functions of a provider of apron management services

┆ ADR.OPS.D.060 Aircraft parking

o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Commentaires



Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit

s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;

- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

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- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

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GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, "

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involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

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- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;



- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

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For example, the Court of justice and the court of the Union judged that :

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Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

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GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response

*Noted*

The provider of apron management services is obliged to report the incidents to the aerodrome operator as required by ADR.OR.D.030. On the other hand, the provider of apron management services, having its own management system, which includes safety management, should also have an internal safety reporting system to manage its business.

comment

793

comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

These requirements can be fulfilled by the certificated Safety Management System of the aerodrome operator. Specify that the implementation of reporting system is mandatory when the AMS provider is another company and not the aerodrome operator. When the



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p>service provider is the aerodrome operator a certified safety reporting system is yet in place for all safety aspects of airport operations.</p> <p><i>Accepted</i></p> <p>This article applies when an apron management services provider has been established. It is reasonable to understand that in its absence, the safety reporting of the aerodrome operator and the air traffic services provider shall be used.</p>                                                                            |
| comment  | <p>865 <span style="float: right;">comment by: ENAC Ente Nazionale per l'Aviazione Civile (Italia)</span></p> <p>(b)<br/>The rule should make reference to ADR.OR.D.005 (b)(3) instead of ADR.OR.D.006 (b)(3)</p>                                                                                                                                                                                                                                                                                          |
| response | <p><i>Accepted</i></p> <p>The reference has been corrected to ADR.OR.D.005(b)(3).</p>                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <p>1004 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span></p> <p>These requirements can be fulfilled by the certificated Safety Management System of the aerodrome operator. Specify that the implementation of reporting system is mandatory when the AMS provider is another company and not the aerodrome operator.<br/>When the service provider is the aerodrome operator a certified safety reporting system is yet in place for all safety aspects of airport operations.</p> |
| response | <p><i>Accepted</i></p> <p>This article applies when an apron management services provider has been established. It is reasonable to understand that in its absence, the safety reporting of the aerodrome operator and the air traffic services provider shall be used.</p>                                                                                                                                                                                                                                |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART D — MANAGEMENT (ADR.OR.D) — ADR.OR.D.040 Record keeping — providers of apron management services** p. 22-23

|          |                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>5 <span style="float: right;">comment by: Jan Loncke</span></p> <p>ADR.OR.D.040 (b)<br/>I suggest to add the words "provider of apron management services" in the sentence, so that there is no chance of misunderstanding which manual is being meant :<br/>"(b) The format of the records shall be specified in the operations manual of the provider of apron management services."</p> |
| response | <p><i>Noted</i></p> <p>The phrase used is 'Operations Manual', whereas for the aerodrome the phrase 'Aerodrome Manual' is used.</p>                                                                                                                                                                                                                                                           |
| comment  | <p>690 <span style="float: right;">comment by: Federal Office of Civil Aviation FOCA</span></p>                                                                                                                                                                                                                                                                                               |



|          |                                                                                                        |
|----------|--------------------------------------------------------------------------------------------------------|
| response | National legislation on record keeping may be stricter. Please specify if EU regulation shall prevail. |
|          | <i>Noted</i>                                                                                           |
|          | These are the minimum requirements.                                                                    |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex III — SUBPART F — OPERATIONS MANUAL AND DOCUMENTATION OF PROVIDER OF APRON MANAGEMENT SERVICES — ADR.OR.F.005 Operations Manual** p. 23-24

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                               |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| comment  | 36                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: CAA-NL                            |
|          | <u>ADR.OR.F.005-(e)(2):</u><br>Is the reference to ADR.OR.B.017-(b) correct?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                               |
| response | <i>Accepted</i><br>The correct reference is ADR OR.B.020(b). The text has been amended accordingly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                               |
| comment  | 50                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: Flughafen Berlin Brandenburg GmbH |
|          | (l) is not in line with AMC2 ADR.OR.F:005 (i)(2) in terms of wording and detail. As a comparison: ADR.OR.E.005 (m) is in line with AMC3 ADR.OR.E.005.<br>Replace<br>"... (l) The content of the operations manual shall be as follows:<br>(1) General;<br>(2) Provider's management system, qualification and trianing requirements; and<br>(3) Particulars of the operating procedures for the provision of apron management services, its equipment and safety measures..."<br>by<br>"...(l) The content of the operations manual shall be as follows:<br>(1) General;<br>(2) Management system, qualification and training requirements;<br>(3) Particulars of the area where apron management service is provided;<br>(4) Particulars of apron management service required to be reported to the aeronautical information service<br>(5) Particulars of apron management service procedures, its equipment, and safety measures...) |                                               |
| response | <i>Accepted</i><br>The text has been amended as proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                               |
| comment  | 111                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: ADV - German Airports Association |
|          | (l) is not in line with AMC2 ADR.OR.F.005 (i)(2) in terms of wording and detail. As a comparison: ADR.OR.E.005 (m) is in line with AMC3 ADR.OR.E.005.<br>Replace                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                               |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>"...(l) The content of the operations manual shall be as follows:<br/> (1) General;<br/> (2) Provider's management system, qualification and training requirements; and<br/> (3) Particulars of the operating procedures for the provision of apron management services, its equipment and safety measures..."</p> <p>by</p> <p>"...(l) The content of the operations manual shall be as follows:<br/> (1) General;<br/> (2) Management system, qualification and training requirements;<br/> (3) Particulars of the area where apron management service is provided;<br/> (4) Particulars of apron management service required to be reported to the aeronautical information service<br/> (5) Particulars of apron management service procedures, its equipment, and safety measures..."</p> |
| response | <p><i>Accepted</i></p> <p>The text has been amended as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| comment  | <p>168 comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></p> <p>Add (ADR.OR.F) to heading. See other headings.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <p><i>Accepted</i></p> <p>The heading has been corrected.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>249 comment by: <i>Aena</i></p> <p>In case the service provider is the same for both ATS and apron services, the OM should be the same document in order to avoid duplicities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| response | <p><i>Accepted</i></p> <p>A new point (m) has been added as follows:<br/> '(m) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'</p>                                                                                                                                                                                                                                                                                                                                                                                                                              |
| comment  | <p>251 comment by: <i>Aena</i></p> <p>It should be added the requirement that the OM should be managed only in controlled copies.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>283 comment by: <i>Avinor</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| response | <p>(l) is not in line with AMC2 ADR.OR.F.005 (i)(2) in terms of wording and detail. As a comparison: ADR.OR.E.005 (m) is in line with AMC3 ADR.OR.E.005.</p> <p>Replace</p> <p>"...(l) The content of the operations manual shall be as follows:</p> <p>(1) General;</p> <p>(2) Provider's management system, qualification and training requirements; and</p> <p>(3) Particulars of the operating procedures for the provision of apron management services, its equipment and safety measures..."</p> <p>by</p> <p>"...(l) The content of the operations manual shall be as follows:</p> <p>(1) General;</p> <p>(2) Management system, qualification and training requirements;</p> <p>(3) Particulars of the area where apron management service is provided;</p> <p>(4) Particulars of apron management service required to be reported to the aeronautical information service</p> <p>(5) Particulars of apron management service procedures, its equipment, and safety measures..."</p> <p><i>Accepted</i></p> <p>The text has been amended as proposed.</p> |
| comment  | <p>361 <span style="float: right;">comment by: <i>Aéroports De Lyon</i></span></p> <p><b>ADR.OR.F.005</b></p> <p>supply the Competent Authority with the intended amendments and revisions of the operations manual in advance of the effective date if the proposed amendment or revision of the aerodrome manual requires only a notification to the Competent Authority in accordance with ADR.OR.B.040(d) and <b>ADR.OR.B.017(b)</b>.</p> <p><a href="#">Commentaire : Article ADR.OR.B.017 introuvable</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Accepted</i></p> <p>The correct reference is ADR OR.B.020(b). The text has been amended accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>396 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span></p> <p>(l) is not in line with AMC2 ADR.OR.F.005 (i)(2) in terms of wording and detail. As a comparison: ADR.OR.E.005 (m) is in line with AMC3 ADR.OR.E.005.</p> <p>Replace</p> <p>"...(l) The content of the operations manual shall be as follows:</p> <p>(1) General;</p> <p>(2) Provider's management system, qualification and training requirements; and</p> <p>(3) Particulars of the operating procedures for the provision of apron management services, its equipment and safety measures..."</p> <p>by</p> <p>"...(l) The content of the operations manual shall be as follows:</p>                                                                                                                                                                                                                                                                                                                                                            |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|          | <p>(1) General;<br/> (2) Management system, qualification and training requirements;<br/> (3) Particulars of the area where apron management service is provided;<br/> (4) Particulars of apron management service required to be reported to the aeronautical information service<br/> (5) Particulars of apron management service procedures, its equipment, and safety measures..."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <p><i>Accepted</i></p> <p>The text has been amended as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>418 <span style="float: right;">comment by: <i>Aéroports De Lyon</i></span></p> <p>(l) is not in line with AMC2 ADR.OR.F.005 (i)(2) in terms of wording and detail. As a comparison: ADR.OR.E.005 (m) is in line with AMC3 ADR.OR.E.005.<br/> Replace<br/> "...(l) The content of the operations manual shall be as follows:<br/> (1) General;<br/> (2) Provider's management system, qualification and training requirements; and<br/> (3) Particulars of the operating procedures for the provision of apron management services, its equipment and safety measures..."<br/> by<br/> "...(l) The content of the operations manual shall be as follows:<br/> (1) General;<br/> (2) Management system, qualification and training requirements;<br/> (3) Particulars of the area where apron management service is provided;<br/> (4) Particulars of apron management service required to be reported to the aeronautical information service<br/> (5) Particulars of apron management service procedures, its equipment, and safety measures..."</p> |
| response | <p><i>Accepted</i></p> <p>The text has been amended as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>475 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p><b>ADR.OR.F.005 Coordination with aerodrome operator for the content of operations manual</b><br/> <b>Level 2 – Suggestion for clarification</b><br/> <b>Level 3 – Typographical mistake</b><br/> See also comment on ADR.OR.C.010. The content of the operations manual shall not contravene :<br/> - the content of the written agreement between the AMS provider and the aerodrome operator, in a generic way,<br/> - and the portions of the aerodrome manual which are relevant to the AMS provider duties and responsibilities, in a more specific way.<br/> Moreover, the same requirements should exist concerning coordination between the AMS provider and the air traffic services provider. The content of the operations manual shall not contravene :</p>                                                                                                                                                                                                 |



- the content of the formal arrangement between the AMS provider and the air traffic services provider (as required by ADR.OPS.D.010),  
 - and the portions of the air traffic services provider operating manual which are relevant to the AMS provider duties and responsibilities.  
 ADR.OR.F.005, point (b), could be amended in accordance.  
 Besides, in para (e) : when the AMS provider intends to amend its manual, it should coordinate with the aerodrome operator or the ANSP only if relevant (they may not always be concerned by the intended change).  
 Furthermore, there are some editorial mistakes in para (e)(2) :  
 - Aerodrome manual shall be replaced by operations manual,  
 - Reference to ADR.OR.B.017(b) has to be deleted as this IR doesn't exist.

#### ADR.OR.F.005 Operations Manual

(a) The provider of apron management services shall establish and maintain an operations manual.

(b) The content of the operations manual shall reflect the requirements set out in this Part and Part ADR.OPS, as applicable, and shall not contravene the terms of the certificate, the portions of the aerodrome manual and of the air traffic services provider operating manual which are relevant to the provider of apron management services duties and responsibilities, the content of its written agreement with the aerodrome operator, the content of its formal arrangements with the air traffic services provider, or the information contained in the declaration. The operations manual shall contain or refer to all the necessary information for the safe provision of apron management services.

[...]

(e) The provider of apron management services, after consultation and coordination with the aerodrome operator and the air traffic services provider if relevant, shall:

(1) supply the Competent Authority with the intended amendments and revisions of the operations manual, for items requiring prior approval in accordance with ADR.OR.B.040, in advance of the effective date, and ensure that they do not become effective before obtaining the Competent Authority's approval; or

(2) supply the Competent Authority with the intended amendments and revisions of the operations manual in advance of the effective date if the proposed amendment or revision of the aerodrome operations manual requires only a notification to the Competent Authority in accordance with ADR.OR.B.040(d) and ~~ADR.OR.B.017(b)~~.

[...]

response *Accepted*

The text revised as proposed.

comment 482

comment by: UK CAA

**Page No: 23**

**Paragraph No: ADR.OR.F.005 Operations Manual**

**Comment:** It is assumed that when the Aerodrome Operator has direct responsibility for Apron Management, the Aerodrome Manual is seen to cover the requirements of this article.

**Justification:** It would add additional burden on the Aerodrome Operator, for no identifiable gain, if they are required to develop a separate Operations Manual over and above the Aerodrome Manual. It is assumed that the Aerodrome Manual would be updated with the appropriate material to cover the additional requirements described in this NPA.

response *Accepted*



A new point (m) has been added as follows:

'(m) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'

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| comment  | <p>521 <span style="float: right;">comment by: <i>BAA Airside operations</i></span></p> <p>OR.F.005(a) – what happens when there is no provider? Better to say that aerodrome or ANSP manuals should describe the delivery of apron management services, rather than assuming there is a providing entity.</p>                                                                                                                                                                                                                                                                                                                             |
| response | <p><i>Noted</i></p> <p>When there is not any apron management services provider and the service is provided exclusively or partially by the aerodrome operator and the air traffic services provider, then the procedures should be included in their respective manuals. For that reason, a new point (m) has been added as follows:</p> <p>'(m) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'</p>    |
| comment  | <p>558 <span style="float: right;">comment by: <i>Finavia</i></span></p> <p>Comment: If the aerodrome operator provides apron management service also, the publication of the Operations Manual should not be mandatory providing that the necessary information is included in the aerodrome manual and other relevant documentation and made available for all parties concerned. To divide / multiply / refer information in several documents is not very user friendly and may cause confusion and negative safety implications.</p> <p>Proposed action: An alternative approach should be possible instead of Operations Manual.</p> |
| response | <p><i>Noted</i></p> <p>When there is not any apron management services provider and the service is provided exclusively or partially by the aerodrome operator and the air traffic services provider, then the procedures should be included in their respective manuals. For that reason a new point (m) has been added as follows:</p> <p>'(m) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'</p>     |
| comment  | <p>692 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span></p> <p>ADR.OR.F.005 (j) (2): FOCA suggests to delete "and is easy to revise". Justification: no added value.</p>                                                                                                                                                                                                                                                                                                                                                                                                                        |
| response | <p><i>Not accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |



The provision is the same as with the aerodrome manual. However, it is worth saying that the format of the manual will be such that the content and the numbering do not change after every revision. This is very important in order to identify easily the changes.

comment 694 comment by: *Federal Office of Civil Aviation FOCA*  
 ADR.OR..F.005 (k): FOCA suggests to delete this provisions as this requirement brings no added value.

response *Not accepted*  
 The provision is the same as with the aerodrome manual. As the operations manual is one of the prerequisites of the certificate and its continued validity, it is very important to keep a current copy of the manual at the aerodrome.

comment 697 comment by: *Federal Office of Civil Aviation FOCA*  
 ADR.OR.F.005 (l): FOCA suggests to delete this provision as the responsibility of defining the structure of an operational manual lies with the Competent Authority.

response *Not accepted*  
 The general content of the manual should be uniform for all apron management services providers. The same principles apply for the aerodrome manual and are already included in Regulation (EU) No 139/2014. The details are included in the relevant AMC in order to be adapted to the local requirements.

comment 768 comment by: *HIA - Highlands and Islands Airports Limited*  
 Item (a) Currently our apron operations are covered in an annex to the Aeodrome Manual. We would envisage the Operations Manual to follow the same document structure.  
 Item (f) In agreement with our Inspectorate, amendments are issued as supplementary instructions until the manual is updated. Items in the interest of safety are issued immediately as a Safety Directives or Temporary Instructions.

response *Accepted*  
 A new point (m) has been added to clarify the issue as follows:  
 '(m) In the case that the aerodrome operator or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual respectively.'  
 Concerning the amendments of the manual, refer to the specific articles on changes and the Safety Directives.

comment 794 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*  
 (l) is not in line with AMC2 ADR.OR.F.005 (i)(2) in terms of wording and detail. As a comparison: ADR.OR.E.005 (m) is in line with AMC3 ADR.OR.E.005.  
 Replace  
 "...(l) The content of the operations manual shall be as follows:



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|          | <p>(1) General;</p> <p>(2) Provider's management system, qualification and training requirements; and</p> <p>(3) Particulars of the operating procedures for the provision of apron management services, its equipment and safety measures..."</p> <p>by</p> <p>"...(l) The content of the operations manual shall be as follows:</p> <p>(1) General;</p> <p>(2) Management system, qualification and training requirements;</p> <p>(3) Particulars of the area where apron management service is provided;</p> <p>(4) Particulars of apron management service required to be reported to the aeronautical information service</p> <p>(5) Particulars of apron management service procedures, its equipment, and safety measures..."</p> |
| response | <p><i>Accepted</i></p> <p>The text has been amended as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| comment  | <p>863 comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i></p> <p>(l)</p> <p>The subpoint (l) of this IR is not in line with the corresponding AMC2 ADR.OR.F.005 (i)(2); two additional lines are proposed to integrate the list:</p> <p>(4) Particulars of the area where apron management service is provided;</p> <p>(5) Particulars of apron management service required to be reported to the aeronautical information service.</p> |
| response | <p><i>Accepted</i></p> <p>The text has been amended as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                        |

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| comment  | <p>917 comment by: <i>The Civil Aviation Authority</i></p> <p>In Poland, apron management services are provided by the aerodrome operators (and will be included under their certificates) in cooperation with ATS. Therefore, it have to be clear if establishing and maintaining an operations manual is obligatory for aerodrome operator. In our opinion Operation Manual should be a part of Aerodrome Manual (if aerodrome operator provides apron management services). In such case, aerodrome operator will poses complete and consolidated document dedicated to all provided services – this must be clearly mentioned in the new regulation.</p> <p>This comment is connected with Polish CAA comment to Article 1 of regulation (NPA 2013-24) to add new term defined in Commission Regulation No 139/2014.</p> |
| response | <p><i>Noted</i></p> <p>When there is not any apron management service provider and the service is provided exclusively or partially by the aerodrome operator and the air traffic services provider, then the procedures should be included in their respective manuals. For that reason, a new point (m) has been added as follows:</p> <p>'(m) In the case that the aerodrome operator and/or the air traffic services provider are partially or exclusively providing apron management services, the content of the manual may be included in the aerodrome manual or the air traffic services operations manual</p>                                                                                                                                                                                                      |



respectively.'

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| comment  | <p>920 <span style="float: right;">comment by: <i>The Civil Aviation Authority</i></span></p> <p>There should be specified if (in case that apron management services are provided by the aerodrome operator in cooperation with ATS), aerodrome operator (as an applicant), shall provide the Competent Authority with the information and documentations required in ADR.OR.B.020 during aerodrome certification process.</p> <p>The most important is whether a separate Operation Manual shall be provided. In accordance with ADR.OR.F.005 comment – in our opinion Operation Manual should be a part of Aerodrome Manual (if aerodrome operator provides apron management services) – this must be clearly mentioned in the new regulation.</p> <p>This comment is connected with Polish CAA comment to Article 1 of regulation (NPA 2013-24) to add new term defined in Commission Regulation No 139/2014.</p>                                                                                                                                                               |
| response | <p><i>Accepted</i></p> <p>When the aerodrome operator is partially or exclusively providing apron management services, then all the information could be included in the aerodrome manual. As stated in the reply to the comment above, a new point (m) has been included for that reason. Also, in the terms of the certificate of the aerodrome operator, there is a reference to apron management services.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>932 <span style="float: right;">comment by: <i>Polish Regional Airports Association</i></span></p> <p>In case that apron management services are provided by airport operator, or airport operator cooperating with ATC, we recommend that there should be additional chapter to aerodrome manual instead creating of new additional manual. That will help us to keep all documents in a more clear way.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Accepted</i></p> <p>Please refer to the previous responses.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>1005 <span style="float: right;">comment by: <i>Turin Airport - TRN/LIMF</i></span></p> <p>(l) is not in line with AMC2 ADR.OR.F.005 (i)(2) in terms of wording and detail. As a comparison: ADR.OR.E.005 (m) is in line with AMC3 ADR.OR.E.005.</p> <p>Replace</p> <p>"...(l) The content of the operations manual shall be as follows:</p> <ol style="list-style-type: none"> <li>(1) General;</li> <li>(2) Provider's management system, qualification and training requirements; and</li> <li>(3) Particulars of the operating procedures for the provision of apron management services, its equipment and safety measures..." <p>by</p> <p>"...(l) The content of the operations manual shall be as follows:</p> <ol style="list-style-type: none"> <li>(1) General;</li> <li>(2) Management system, qualification and training requirements;</li> <li>(3) Particulars of the area where apron management service is provided;</li> <li>(4) Particulars of apron management service required to be reported to the aeronautical information service;</li> </ol> </li></ol> |



|          |                                                                                                |
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|          | (5) Particulars of apron management service procedures, its equipment, and safety measures..." |
| response | <i>Accepted</i><br>The text has been amended as proposed.                                      |

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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.001 Provision of services</b> | p. 24 |
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| comment  | 158 | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i>                                                                                                                                                                                                                                                     |
|          |     | If all services under subpart D, which is according to the heading about apron management services, shall be provided by the aerodrome operator why is there any need to certify the AMSP as the Aerodrome Operator already has to be certified.<br>This provision should be rephrased to be more specific.                                                                                      |
| response |     | <i>Noted</i><br>The inclusion of aerodrome operator and apron management services provider responsibilities in the same Subpart created some confusion concerning the allocation of responsibilities. For this reason, the aerodrome operator responsibilities remained in Subpart D and the responsibilities of the provider of apron management services have been moved into a new Subpart E. |

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| comment | 177 | comment by: <i>Union des Aéroports français - UAF</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|         |     | Attachment <a href="#">#73</a><br>Please find attached Union des Aéroports Français (UAF) comments<br><br>Objet<br>Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).<br>Références<br><input type="checkbox"/> ADR.AR.C035 (b)(1) et (d) Issuance of certificates<br><input type="checkbox"/> ADR.OPS.D.001 Provision of services<br><input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services<br>Commentaires<br>1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.<br>En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").<br>A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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. |



De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car Il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

response

*Noted*

Subpart D has been modified and the provisions exclusively related to apron management have been moved to a new Subpart E..

comment

191

comment by: *Union des Aéroports français - UAF*Attachment [#74](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

ADR.OR.D.018 Training and proficiency check programs - providers of apron management services

o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs

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

ADR.OPS.D.001 Provision of services

o GM1 ADR.OPS.D.001 Provision of services

ADR.OPS.D.005 Functions of a provider of apron management services

ADR.OPS.D.060 Aircraft parking

o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de



notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :



(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the is performance by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while l'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;

- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safetyrequires [...] that any community act which produces legal



effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;  
 "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).  
 Proposal  
 ADR.OPS.D001 :  
 We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :  
 "The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".  
 GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"  
 ADR.OPS.D.040 Right of way on the apron (b) (3)  
 Replace :  
 (3) other vehicles in accordance with the rules established by the aerodrome operator.  
 by  
 (3) other vehicles in accordance with local regulations.  
 AMC2.ADR.OPS.D.045 (c) Management of the apron safety  
 Replace :  
 (c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.  
 by  
 (c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response

*Noted*

Subpart D has been modified and the provisions exclusively related to apron management have been moved to a new Subpart E.

comment

486

comment by: DGAC France

#### Identification of the apron management services and of the AMS provider

##### Level 1 - Fundamental comment

Subpart D is entitled "Apron Management Services" : it contains a list of the various requirements which are considered as such services. ADR.OPS.D.001 indicates that these services shall be provided by the aerodrome operator, either directly or by a third party. However, ADR.OPS.D.005 indicates that *when apron management services are provided*, they shall include at least ADR.OPS.D.015, ADR.OPS.B.020 and ADR.OPS.D.035. So there seems to be a contraction between this IR and ADR.OPS.D.001 : on the one hand, we understand that every service listed in this subpart shall be provided, whereas on the other hand, we are told only three of them are mandatory.

This misunderstanding is due to the fact the definition of "apron management service" in ICAO Annex 14 paragraph 9.5.1 is more restrictive than the definition of "apron management services" as given in the NPA. According to ICAO, "*when warranted by the volume of traffic*



and operating conditions, an appropriate apron management service should be provided [...]in order to :

- a) regulate movement with the objective of preventing collisions between aircraft, and between aircraft and obstacles;
- b) regulate entry of aircraft into, and coordinate exit of aircraft from, the apron with the aerodrome control tower; and
- c) ensure safe and expeditious movement of vehicles and appropriate regulation of other activities.”

These three items correspond to the three IR quoted in ADR.OPS.D.005, namely ADR.OPS.D.015, ADR.OPS.B.020 and ADR.OPS.D.035, whereas the NPA designates as apron management services the whole list of IR contained in Subpart D.

Some IR of Subpart D, as they are written, can be considered as requirements rather than services : for example : establishing written agreements (ADR.OPS.D.010), ensuring that appropriate number of frequencies are assigned (OPS.D.025), establishing driving rules (ADR.OPS.D.035) or establishing safety rules (OPS.D.045), etc. are not “services” as such. These IR apply in any case, whether or not an AMS unit is established at the aerodrome.

It is therefore proposed to adopt the AMS definition of ICAO Annex 14, as being the three functions that are provided by a **dedicated AMS unit (= AMS provider)**, when such a unit is established.

It is necessary to distinguish between IR applying to the aerodrome operator, whether or not an AMS unit is established, and IR applying to this AMS unit when established. These specific IR should be in a dedicated Subpart “AMS provider requirements”. More specifically, some IR of Subpart D as they are written may apply to both aerodrome operator and AMS provider at a different level, and should therefore be split into two IRs : on the one hand, a requirement applicable to the aerodrome operator regardless of the existence of an AMS provider (for example : define high-level safety rules, define driving rules), on the other hand a requirement applicable to the AMS provider, requiring the latter to integrate the rules defined by the AD operator into its own operational procedures.

The matrix below proposes an allocation of current Subpart D IRs between the AD operator, the AMS provider when established, and third parties. For clarity purposes, requirements applying to AMS provider could be listed in a new “Subpart E”.

| REF | TITLE                                                                                               | ADR.OPS.D                                                                                                            | List of rules applicable to |                |               |
|-----|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|-----------------------------|----------------|---------------|
|     |                                                                                                     |                                                                                                                      | D- the aerodrome operator   | E-the AMS unit | A third party |
| 001 | Provision of services                                                                               | <b>ADR.OPS.D.001<br/>Provision of services</b>                                                                       | x                           |                |               |
| 005 | Functions of a provider of apron management services                                                | <b>ADR.OPS.D.005<br/>Functions of a provider of apron management services</b>                                        |                             | x              |               |
| 010 | Written agreement between the provider of apron management services, the aerodrome operator and the | <b>ADR.OPS.D.010<br/>Written agreement between the provider of apron management services, the aerodrome operator</b> | x                           | x              |               |



|     |                                                              |                                                                                   |                                |                                      |                                            |
|-----|--------------------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------|--------------------------------------|--------------------------------------------|
|     | ATS Unit                                                     | <b>and the ATS Unit</b>                                                           |                                |                                      |                                            |
| 015 | Management of aircraft movement on the apron                 | <b>ADR.OPS.D.015 Management of aircraft movement on the apron</b>                 | x<br>(definition of the rules) | x<br>(application of the rules)      |                                            |
| 020 | Coordination of aircraft entry to /exit from the apron       | <b>ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron</b>       |                                | x                                    |                                            |
| 025 | Apron management services boundaries                         | <b>ADR.OPS.D.025 Apron management services boundaries</b>                         | x                              |                                      |                                            |
| 030 | Assignment of radio frequencies to apron management services | <b>ADR.OPS.D.030 Assignment of radio frequencies to apron management services</b> |                                |                                      | State                                      |
| 035 | Management of vehicle movements                              | <b>ADR.OPS.D.035 Management of vehicle movements</b>                              | x<br>(definition of the rules) | x<br>(application of the rules)      |                                            |
| 040 | Right of way on the apron                                    | <b>ADR.OPS.D.040 Right of way on the apron</b>                                    | x<br>(definition of the rules) | x<br>(application of the rules)      |                                            |
| 045 | Management of apron safety                                   | <b>ADR.OPS.D.045 Management of apron safety</b>                                   | x                              |                                      |                                            |
| 050 | Aircraft stand allocation                                    | <b>ADR.OPS.D.050 Aircraft stand allocation</b>                                    | x                              |                                      |                                            |
| 055 | Marshalling of aircraft                                      | <b>ADR.OPS.D.055 Marshalling of aircraft</b>                                      |                                | x ? (if marshalling included in AMS) | Ground handler employing marshallers       |
| 060 | Aircraft parking                                             | <b>ADR.OPS.D.060 Aircraft parking</b>                                             |                                | x? (if marshalling included in AMS)  | Ground handler guiding the aircraft, pilot |
| 065 | Aircraft departure                                           | <b>ADR.OPS.D.065 Aircraft departure</b>                                           |                                |                                      | Ground handler guiding the aircraft, pilot |
| 070 | Start-up clearances and taxi instructions                    | <b>ADR.OPS.D.070 Start-up clearances and taxi instructions</b>                    |                                | x                                    |                                            |
| 075 | Dissemination of                                             | <b>ADR.OPS.D.075</b>                                                              | x                              |                                      |                                            |



|     |                                |                                              |   |   |                                                                           |
|-----|--------------------------------|----------------------------------------------|---|---|---------------------------------------------------------------------------|
|     | information to operators       | Dissemination of information to operators    |   |   |                                                                           |
| 080 | Alerting of emergency services | ADR.OPS.D.080 Alerting of emergency services | x | x |                                                                           |
| 085 | Training                       | ADR.OPS.D.085 Training                       |   | x | Employer of marshallers and leader van drivers (if not considered as AMS) |

ADR.OPS.D.001 and ADR.OPS.D.005, as well as their associated GMs, should be amended accordingly :

- ADR.OPS.D.001 relates to the responsibilities of aerodrome operators, irrespective of the establishment of an AMS provider. In particular, GM2 ADR.OPS.D.001 should not mention services provided by an AMS unit (marshalling, follow-me, etc.) as “essential” on an apron, as these services may not be provided on small airports.

- ADR.OPS.D.005 relates to the functions of an AMS unit, and should be moved in new Subpart E. **In this respect, introducing a GM explaining what kind of provider an AMS unit may be, and what may be the means used to provide the service, would be very useful to clearly identify these units (see proposal for GM1 ADR.OPS.E.001). In particular, there is an ambiguity concerning marshallers and leader vans (“follow-me” vehicles) : it is not clear whether these services are in the scope of an AMS unit or not. AMC1 ADR.OPS.D.055, D.060 and D.085 are examples of rules which are ambiguous from this point of view, because we don’t know whether they apply to AMS or to other entities. We infer that at some airports, Follow-me vehicles is a way to provide AMS, whereas at other airports, Follow-me vehicles simply operate as ground handlers or ANSP, without an AMS being provided. This should however be clarified in the text.**

**SUBPART D — APRON MANAGEMENT SERVICES REQUIREMENTS (ADR.OPS.D)**

**ADR.OPS.D.001 Provision of services Apron requirements**

The services requirements under Subpart D of this Annex shall be provided fulfilled at the aerodrome by the aerodrome operator directly or indirectly, in accordance with ADR.OPS.D.005.

**GM1 ADR.OPS.D.001 Provision of services Apron requirements**

**SERVICES RESPONSIBILITIES**

The services included in Part D requirements under Subpart D of this Annex need to be provided fulfilled at an aerodrome. In some cases, these services requirements are not directly provided fulfilled by the aerodrome operator but by another organisation or State entity or combination of both. However, the aerodrome operator being responsible for the operation of the aerodrome should have arrangements and interfaces with these organisations or entities to ensure the provision of services fulfilling of requirements according to the legal requirements provisions. The method described above meets with the intention of an integrated Safety Management System that helps the aerodrome operator to ensure the safety objective of the service provision is being met. In completing this action, the aerodrome operator should, hereby, been seen to discharge his responsibility by employing the procedures mentioned above. Furthermore, the aerodrome operator should not be understood to be directly responsible or liable for non-compliances by another entity involved in the arrangement.



**GM2 ADR.OPS.D.001 Provision of services****APRON FUNCTIONS**

The following functions are considered essential to ensure the safety of aircraft operation on an apron:

- (a) Management of Establishment and implementation of rules on aircraft movements on the apron;
- (b) Coordination of aircraft entry to/exit from the apron;
- (c) Management of Establishment and implementation of rules on apron safety;
- (d) Management of Establishment and implementation of rules on vehicle movements;
- (e) Aircraft stand allocation;
- (f) Marshalling of aircraft;
- (g) Aircraft parking;
- (h) Dissemination of information; and
- (i) Provision of 'Follow me' vehicle.

All or parts of these services functions can be provided fulfilled by the aerodrome operator, a provider of apron management services, the ATS unit, or a combination of the above. The aerodrome operator may also decide to assign certain functions like aircraft stand allocation, marshalling of aircraft, provision of 'Follow me' vehicles to other organisations such as ground handling services providers or airlines. However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements.

**SUBPART E — PROVISION OF APRON MANAGEMENT SERVICE (ADR.OPS.E)****ADR.OPS.D.005 ADR.OPS.E.001 Functions of a provider of apron management services**

When a dedicated unit provides apron management services at an aerodrome are provided, they the service shall include at least the functions required in ADR.OPS.D.015, ADR.OPS.D.020, as well as manage vehicle movements according to the rules established by the aerodrome operator in compliance with ADR.OPS.D.035. ADR.OPS.E.005, ADR.OPS.E.010 and ADR.OPS.E.015.

**GM1 ADR.OPS.E.001****MEANS TO PROVIDE THE SERVICE**

Apron management service can be provided in various forms, including :

- Instructions to aircraft and vehicles through radio frequency by an apron control tower ;
- Marshalling of aircraft ;
- Provision of 'Follow-me' vehicles.

**ADR.OPS.E.005 Management of aircraft movement on the apron**

When established on the aerodrome, the apron management service provider shall regulate aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.

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

When established on the aerodrome, the apron management service provider shall coordinate the entry of aircraft to, and exit of aircraft from, the apron with the air traffic services provider.

**ADR.OPS.E.015 Management of vehicle movements**

When established on the aerodrome, the apron management service provider shall regulate vehicle movement to ensure their safe and expeditious movement on the apron.

response *Accepted*



The inclusion of the requirements for aerodrome operators and providers of apron management services in Subpart D created some confusion concerning the allocation of responsibilities. For this reason, the responsibilities of the aerodrome operator remained in Subpart D and the responsibilities of the provider of apron management services have been included in Subpart E, as proposed. However, the text and the titles of the Implementing Rules are not exactly the same with the proposal.

comment 622

comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD

Attachment [#75](#)

Comment 4

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

- ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable", notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation)



des aéronefs) (ADR.OPS.D035),  
Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

### 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

### Courtesy translation

#### Field of application

#### Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) (1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,

ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p>4/ Proportional measures</p> <p>The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.</p> <p><i>Noted</i></p> <p>Subpart D has been modified and the provisions exclusively related to apron management have been moved to a new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>624 <span style="float: right;">comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></span></p> <p><a href="#">Attachment #76</a></p> <p>Comment 4</p> <p>Objet<br/> Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).<br/> Références<br/> <input type="checkbox"/> ADR.AR.C035 (b)(1) et (d) Issuance of certificates<br/> <input type="checkbox"/> ADR.OPS.D.001 Provision of services<br/> <input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services<br/> Commentaires<br/> 1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation. En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided"). A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.<br/> De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car Il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.<br/> - ADR.AR.C.035 Issuance of certificates (2)<br/> - ADR.OR.C.030 Occurrence reporting (c)<br/> - AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services<br/> - AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)<br/> - AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)<br/> - AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)<br/> 2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.<br/> 3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :<br/> - la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)</p> |



- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

### 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) ( 1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,

ADR.OPS.D.035 Management of vehicle movements.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|          | <p>That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.</p> <p>4/ Proportional measures</p> <p>The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <p><i>Noted</i></p> <p>Subpart D has been modified and the provisions exclusively related to apron management have been moved to a new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | <p>634 <span style="float: right;">comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</span></p> <p><a href="#">Attachment #77</a></p> <p>Comment 7</p> <p>Objet</p> <p>Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.</p> <p>Références</p> <ul style="list-style-type: none"> <li>☑ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services       <ul style="list-style-type: none"> <li>o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs</li> </ul> </li> <li>☑ ADR.OR.D.032 Safety reporting system - providers of apron management services</li> <li>☑ ADR.OPS.D.001 Provision of services       <ul style="list-style-type: none"> <li>o GM1 ADR.OPS.D.001 Provision of services</li> </ul> </li> <li>☑ ADR.OPS.D.005 Functions of a provider of apron management services</li> <li>☑ ADR.OPS.D.060 Aircraft parking       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE</li> </ul> </li> </ul> <p>Commentaires</p> <p>Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.</p> <p>Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.</p> <p>Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".</p> |



L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aéroport établi et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aéroport, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aéroport établi et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aéroport".

Par ailleurs, il sera très difficile à l'exploitant d'aéroport de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aéroports de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety



Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the is performance by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while l'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safetyrequires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

"The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).



Proposal  
 ADR.OPS.D001 :  
 We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :  
 "The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".  
 GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"  
 ADR.OPS.D.040 Right of way on the apron (b) (3)  
 Replace :  
 (3) other vehicles in accordance with the rules established by the aerodrome operator.  
 by  
 (3) other vehicles in accordance with local regulations.  
 AMC2.ADR.OPS.D.045 (c) Management of the apron safety  
 Replace :  
 (c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.  
 by  
 (c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

Subpart D has been modified and the provisions exclusively related to apron management have been moved to a new Subpart E.

comment 702

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#78](#)

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

- ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").



A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable", notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

### 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)



- ADR.OR.C.030 Occurrence reporting (c)  
 - AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services  
 - AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)  
 - AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)  
 - AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)  
 The question is open on witch criteria an apron management unit should be implemented  
 2/ Could we have several apron management units on an aerodrome?  
 The ADR.OPS.D005 lists the minimal functions to be included in the apron management service  
 ADR.OPS.D.015 Management of aircraft movement on the apron  
 ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron  
 ADR.OPS.D.035 Management of vehicle movements  
 This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).  
 It is contradicted by the ADR.AR.C035 ( b ) (1) and ( d ) which leaves the possibility of having several certificates.  
 3/ We also understand that if an epron management unit exist, it shall deal with a minimum :  
 ADR.OPS.D.015 Management of aircraft movement on the apron,  
 ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,  
 ADR.OPS.D.035 Management of vehicle movements.  
 That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.  
 4/ Proportional measures  
 The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.

response *Noted*

Subpart D has been modified and the provisions exclusively related to apron management have been moved to a new Subpart E.

comment

726

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#79](#)

### Répartition des missions, responsabilités et principe de sécurité juridique

#### Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

#### Références

- ADR.OR.D.018 Training and proficiency check programs - providers of apron management services
  - o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs
- ADR.OR.D.032 Safety reporting system - providers of apron management services
- ADR.OPS.D.001 Provision of services
  - o GM1 ADR.OPS.D.001 Provision of services



- ADR.OPS.D.005 Functions of a provider of apron management services
- ADR.OPS.D.060 Aircraft parking
  - o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

#### Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France,



C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the is performance by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while l'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".



Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safetyrequires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

"The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

Subpart D has been modified and the provisions exclusively related to apron management



have been moved to a new Subpart E.

comment

898

comment by: ADP : Aeroports de Paris

Cf. ADP comment # 897

response

*Noted*

Please refer to the replies in the relevant sections.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.005 Functions of a provider of apron management services**

p. 24

comment

178

comment by: Union des Aéroports français - UAF

Attachment [#80](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

- ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable", notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire



de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

### 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

### Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) ( 1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,

ADR.OPS.D.035 Management of vehicle movements.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.</p> <p>4/ Proportional measures</p> <p>The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Noted</i></p> <p>Subpart D includes the requirements for the aerodrome operators irrespective of the existence of an apron management services provider. The requirements for apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>192 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p><a href="#">Attachment #81</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OR.D.018 Training and proficiency check programs - providers of apron management services       <ul style="list-style-type: none"> <li>o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs</li> </ul> </li> <li><input type="checkbox"/> ADR.OR.D.032 Safety reporting system - providers of apron management services</li> <li><input type="checkbox"/> ADR.OPS.D.001 Provision of services       <ul style="list-style-type: none"> <li>o GM1 ADR.OPS.D.001 Provision of services</li> </ul> </li> <li><input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services</li> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE</li> </ul> </li> </ul> <p>Commentaires</p> <p>Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.</p> <p>Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.</p> <p>Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des</p> |



services à l'aérodrome".

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Propositions

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GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.



AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the performance is by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while L'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

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L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

Besides, it will be very difficult for the aerodrome operator to manage numerous entities on a big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

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Proposal

ADR.OPS.D001 :

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GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response

Noted

comment

486 ❖

comment by: DGAC France

### Identification of the apron management services and of the AMS provider

#### Level 1 - Fundamental comment

Subpart D is entitled “Apron Management Services” : it contains a list of the various requirements which are considered as such services. ADR.OPS.D.001 indicates that these services shall be provided by the aerodrome operator, either directly or by a third party. However, ADR.OPS.D.005 indicates that *when apron management services are provided*, they shall include at least ADR.OPS.D.015, ADR.OPS.B.020 and ADR.OPS.D.035. So there seems to be a contraction between this IR and ADR.OPS.D.001 : on the one hand, we understand that every service listed in this subpart shall be provided, whereas on the other hand, we are told only three of them are mandatory.

This misunderstanding is due to the fact the definition of “apron management service” in ICAO Annex 14 paragraph 9.5.1 is more restrictive than the definition of “apron management services” as given in the NPA. According to ICAO, “*when warranted by the volume of traffic and operating conditions, an appropriate apron management service should be provided [...]in order to :*

*a) regulate movement with the objective of preventing collisions between aircraft, and between aircraft and obstacles;*



b) regulate entry of aircraft into, and coordinate exit of aircraft from, the apron with the aerodrome control tower; and

c) ensure safe and expeditious movement of vehicles and appropriate regulation of other activities.”

These three items correspond to the three IR quoted in ADR.OPS.D.005, namely ADR.OPS.D.015, ADR.OPS.B.020 and ADR.OPS.D.035, whereas the NPA designates as apron management services the whole list of IR contained in Subpart D.

Some IR of Subpart D, as they are written, can be considered as requirements rather than services : for example : establishing written agreements (ADR.OPS.D.010), ensuring that appropriate number of frequencies are assigned (OPS.D.025), establishing driving rules (ADR.OPS.D.035) or establishing safety rules (OPS.D.045), etc. are not “services” as such. These IR apply in any case, whether or not an AMS unit is established at the aerodrome.

It is therefore proposed to adopt the AMS definition of ICAO Annex 14, as being the three functions that are provided by a dedicated AMS unit (= AMS provider), when such a unit is established.

It is necessary to distinguish between IR applying to the aerodrome operator, whether or not an AMS unit is established, and IR applying to this AMS unit when established. These specific IR should be in a dedicated Subpart “AMS provider requirements”. More specifically, some IR of Subpart D as they are written may apply to both aerodrome operator and AMS provider at a different level, and should therefore be split into two IRs : on the one hand, a requirement applicable to the aerodrome operator regardless of the existence of an AMS provider (for example : define high-level safety rules, define driving rules), on the other hand a requirement applicable to the AMS provider, requiring the latter to integrate the rules defined by the AD operator into its own operational procedures.

The matrix below proposes an allocation of current Subpart D IRs between the AD operator, the AMS provider when established, and third parties. For clarity purposes, requirements applying to AMS provider could be listed in a new “Subpart E”.

| REF | TITLE                                                                                                        | ADR.OPS.D                                                                                                                             | List of rules applicable to |                   |               |
|-----|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------|---------------|
|     |                                                                                                              |                                                                                                                                       | D- the aerodrome operator   | E-the AMS unit    | A third party |
| 001 | Provision of services                                                                                        | <b>ADR.OPS.D.001<br/>Provision of services</b>                                                                                        | x                           |                   |               |
| 005 | Functions of a provider of apron management services                                                         | <b>ADR.OPS.D.005<br/>Functions of a provider of apron management services</b>                                                         |                             | x                 |               |
| 010 | Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit | <b>ADR.OPS.D.010<br/>Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b> | x                           | x                 |               |
| 015 | Management of aircraft movement                                                                              | <b>ADR.OPS.D.015<br/>Management of</b>                                                                                                | x<br>(definition            | x<br>(application |               |



|     |                                                              |                                                                                   |                                |                                      |                                            |
|-----|--------------------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------|--------------------------------------|--------------------------------------------|
|     | on the apron                                                 | <b>aircraft movement on the apron</b>                                             | of the rules)                  | of the rules)                        |                                            |
| 020 | Coordination of aircraft entry to /exit from the apron       | <b>ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron</b>       |                                | x                                    |                                            |
| 025 | Apron management services boundaries                         | <b>ADR.OPS.D.025 Apron management services boundaries</b>                         | x                              |                                      |                                            |
| 030 | Assignment of radio frequencies to apron management services | <b>ADR.OPS.D.030 Assignment of radio frequencies to apron management services</b> |                                |                                      | State                                      |
| 035 | Management of vehicle movements                              | <b>ADR.OPS.D.035 Management of vehicle movements</b>                              | x<br>(definition of the rules) | x<br>(application of the rules)      |                                            |
| 040 | Right of way on the apron                                    | <b>ADR.OPS.D.040 Right of way on the apron</b>                                    | x<br>(definition of the rules) | x<br>(application of the rules)      |                                            |
| 045 | Management of apron safety                                   | <b>ADR.OPS.D.045 Management of apron safety</b>                                   | x                              |                                      |                                            |
| 050 | Aircraft stand allocation                                    | <b>ADR.OPS.D.050 Aircraft stand allocation</b>                                    | x                              |                                      |                                            |
| 055 | Marshalling of aircraft                                      | <b>ADR.OPS.D.055 Marshalling of aircraft</b>                                      |                                | x ? (if marshalling included in AMS) | Ground handler employing marshallers       |
| 060 | Aircraft parking                                             | <b>ADR.OPS.D.060 Aircraft parking</b>                                             |                                | x? (if marshalling included in AMS)  | Ground handler guiding the aircraft, pilot |
| 065 | Aircraft departure                                           | <b>ADR.OPS.D.065 Aircraft departure</b>                                           |                                |                                      | Ground handler guiding the aircraft, pilot |
| 070 | Start-up clearances and taxi instructions                    | <b>ADR.OPS.D.070 Start-up clearances and taxi instructions</b>                    |                                | x                                    |                                            |
| 075 | Dissemination of information to operators                    | <b>ADR.OPS.D.075 Dissemination of information to operators</b>                    | x                              |                                      |                                            |



|     |                                |                                                 |   |   |                                                                           |
|-----|--------------------------------|-------------------------------------------------|---|---|---------------------------------------------------------------------------|
| 080 | Alerting of emergency services | ADR.OPS.D.080<br>Alerting of emergency services | x | x |                                                                           |
| 085 | Training                       | ADR.OPS.D.085<br>Training                       |   | x | Employer of marshallers and leader van drivers (if not considered as AMS) |

ADR.OPS.D.001 and ADR.OPS.D.005, as well as their associated GMs, should be amended accordingly :

- ADR.OPS.D.001 relates to the responsibilities of aerodrome operators, irrespective of the establishment of an AMS provider. In particular, GM2 ADR.OPS.D.001 should not mention services provided by an AMS unit (marshalling, follow-me, etc.) as “essential” on an apron, as these services may not be provided on small airports.

- ADR.OPS.D.005 relates to the functions of an AMS unit, and should be moved in new Subpart E. **In this respect, introducing a GM explaining what kind of provider an AMS unit may be, and what may be the means used to provide the service, would be very useful to clearly identify these units (see proposal for GM1 ADR.OPS.E.001). In particular, there is an ambiguity concerning marshallers and leader vans ('follow-me' vehicles) : it is not clear whether these services are in the scope of an AMS unit or not. AMC1 ADR.OPS.D.055, D.060 and D.085 are examples of rules which are ambiguous from this point of view, because we don't know whether they apply to AMS or to other entities. We infer that at some airports, Follow-me vehicles is a way to provide AMS, whereas at other airports, Follow-me vehicles simply operate as ground handlers or ANSP, without an AMS being provided. This should however be clarified in the text.**

#### SUBPART D — APRON MANAGEMENT SERVICES REQUIREMENTS (ADR.OPS.D)

##### ADR.OPS.D.001 ~~Provision of services~~ Apron requirements

The ~~services~~ requirements under Subpart D of this Annex shall be ~~provided~~ fulfilled at the aerodrome by the aerodrome operator directly or indirectly, ~~in accordance with ADR.OPS.D.005.~~

##### GM1 ADR.OPS.D.001 ~~Provision of services~~ Apron requirements

##### SERVICES RESPONSIBILITIES

The ~~services included in Part D~~ requirements under Subpart D of this Annex need to be ~~provided~~ fulfilled at an aerodrome. In some cases, these ~~services~~ requirements are not directly ~~provided~~ fulfilled by the aerodrome operator but by another organisation or State entity or combination of both. However, the aerodrome operator being responsible for the operation of the aerodrome should have arrangements and interfaces with these organisations or entities to ensure the ~~provision of services~~ fulfilling of requirements according to the legal ~~requirements~~ provisions. ~~The method described above meets with the intention of an integrated Safety Management System that helps the aerodrome operator to ensure the safety objective of the service provision is being met.~~ In completing this action, the aerodrome operator should, hereby, been seen to discharge his responsibility by employing the procedures mentioned above. Furthermore, the aerodrome operator should not be understood to be directly responsible or liable for non-compliances by another entity involved in the arrangement.

##### GM2 ADR.OPS.D.001 Provision of services

##### APRON FUNCTIONS

The following functions are considered essential to ensure the safety of aircraft operation on



an apron:

- (a) Management of Establishment and implementation of rules on aircraft movements on the apron;
- (b) Coordination of aircraft entry to/exit from the apron;
- (c) Management of Establishment and implementation of rules on apron safety;
- (d) Management of Establishment and implementation of rules on vehicle movements;
- (e) Aircraft stand allocation;
- (f) Marshalling of aircraft;
- (g) Aircraft parking;
- (h) Dissemination of information; and
- (i) Provision of 'Follow me' vehicle.

All or parts of these services functions can be provided fulfilled by the aerodrome operator, a provider of apron management services, the ATS unit, or a combination of the above. The aerodrome operator may also decide to assign certain functions like aircraft stand allocation, marshalling of aircraft, provision of 'Follow me' vehicles to other organisations such as ground handling services providers or airlines. However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements.

#### **SUBPART E — PROVISION OF APRON MANAGEMENT SERVICE (ADR.OPS.E)**

##### **ADR.OPS.D.005 ADR.OPS.E.001 Functions of a provider of apron management services**

When a dedicated unit provides apron management services at an aerodrome are provided, they the service shall include at least the functions required in ADR.OPS.D.015, ADR.OPS.D.020, as well as manage vehicle movements according to the rules established by the aerodrome operator in compliance with ADR.OPS.D.035. ADR.OPS.E.005, ADR.OPS.E.010 and ADR.OPS.E.015.

##### **GM1 ADR.OPS.E.001**

MEANS TO PROVIDE THE SERVICE

Apron management service can be provided in various forms, including :

- Instructions to aircraft and vehicles through radio frequency by an apron control tower ;
- Marshalling of aircraft ;
- Provision of 'Follow-me' vehicles.

##### **ADR.OPS.E.005 Management of aircraft movement on the apron**

When established on the aerodrome, the apron management service provider shall regulate aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.

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

When established on the aerodrome, the apron management service provider shall coordinate the entry of aircraft to, and exit of aircraft from, the apron with the air traffic services provider.

##### **ADR.OPS.E.015 Management of vehicle movements**

When established on the aerodrome, the apron management service provider shall regulate vehicle movement to ensure their safe and expeditious movement on the apron.

response *Accepted*



The inclusion of the requirements for aerodrome operators and providers of apron management services in Subpart D created some confusion concerning the allocation of responsibilities. For this reason, the responsibilities of the aerodrome operator remained in Subpart D and the responsibilities of the provider of apron management services have been included in Subpart E, as proposed. However, the text and the titles of the Implementing Rules are not exactly the same with the proposal.

comment 580 comment by: *Belgian CAA*  
 <...> as well as managing vehicle movements <...>

response *Noted*  
 The management of vehicle movements has remained under the responsibility of the aerodrome operator under ADR.OPS.D.030.

comment 623 comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*

Attachment [#82](#)

Comment 4

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

- ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car Il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)



- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)  
 - AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

#### Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) ( 1 ) and ( d ) which leaves the possibility of having



several certificates.

3/ We also understand that if an apron management unit exist, it shall deal with a minimum :  
 ADR.OPS.D.015 Management of aircraft movement on the apron  
 ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,  
 ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.

response

*Noted*

Subpart D includes the requirements for the aerodrome operators irrespective of the existence of an apron management services provider. The requirements for apron management services have been moved into the new Subpart E.

comment

636

comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*Attachment [#83](#)

Comment 7

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

ADR.OR.D.018 Training and proficiency check programs - providers of apron management services

o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs

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

ADR.OPS.D.001 Provision of services

o GM1 ADR.OPS.D.001 Provision of services

ADR.OPS.D.005 Functions of a provider of apron management services

ADR.OPS.D.060 Aircraft parking

o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.



Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aéroports de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"



ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ADR.OPS.D.001 and the GM1. ADR.OPS.D.001 specifies that even if the performance is by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

A DR. OR. D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ADR.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>“The community legislation has to be certain and its predictable application for the citizens” CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;</p> <p>“The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact” (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;</p> <p>“The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences” (13 mars 1990, Commission c/ France, C-30/89).</p> <p>Proposal</p> <p>ADR.OPS.D001 :</p> <p>We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :</p> <p>“The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity”.</p> <p>GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"</p> <p>ADR.OPS.D.040 Right of way on the apron (b) (3)</p> <p>Replace :</p> <p>(3) other vehicles in accordance with the rules established by the aerodrome operator.</p> <p>by</p> <p>(3) other vehicles in accordance with local regulations.</p> <p>AMC2.ADR.OPS.D.045 (c) Management of the apron safety</p> <p>Replace :</p> <p>(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.</p> <p>by</p> <p>(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.</p> |
| response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment | <p>704 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #84</a></p> <p>Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).</p> <p>Objet</p> <p>Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.AR.C035 (b)(1) et (d) Issuance of certificates</li> <li><input type="checkbox"/> ADR.OPS.D.001 Provision of services</li> <li><input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services</li> </ul> <p>Commentaires</p> |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation. En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable", notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

### 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

### Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones



:

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented  
2/ Could we have several apron management units on an aerodrome?  
The ADR.OPS.D005 lists the minimal functions to be included in the apron management service  
ADR.OPS.D.015 Management of aircraft movement on the apron  
ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron  
ADR.OPS.D.035 Management of vehicle movements  
This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).  
It is contradicted by the ADR.AR.C035 ( b ) (1) and ( d ) which leaves the possibility of having several certificates.  
3/ We also understand that if an epron management unit exist, it shall deal with a minimum :  
ADR.OPS.D.015 Management of aircraft movement on the apron  
ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,  
ADR.OPS.D.035 Management of vehicle movements.  
That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.  
4/ Proportional measures  
The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.

response *Noted*

Subpart D includes the requirements for the aerodrome operators irrespective of the existence of an apron management services provider. The requirements for apron management services have been moved into the new Subpart E.

comment

727

comment by: *Pau Pyrénées Airport - PUF/LFBP*

Attachment [#85](#)

### **Répartition des missions, responsabilités et principe de sécurité juridique**

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

ADR.OR.D.018 Training and proficiency check programs - providers of apron management services

o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs



- ADR.OR.D.032 Safety reporting system - providers of apron management services
- ADR.OPS.D.001 Provision of services
  - o GM1 ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services
- ADR.OPS.D.060 Aircraft parking
  - o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

#### Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ADR.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;

- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;



- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ADR.OPS.D001 and the GM1. ADR.OPS.D.001 specifies that even if the performance is by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while the ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while the aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement" shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, "

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management



services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;

- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safetyrequires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

"The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the



|          |                                        |
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|          | deviations from the established rules. |
| response | <i>Noted</i>                           |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.010 Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit**

p. 24-25

|         |                                                                                                                     |                         |
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| comment | 253                                                                                                                 | comment by: <i>Aena</i> |
|         | There is no need for an agreement when ATS and apron management services are being provided by the same enterprise. |                         |

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| response | <i>Accepted</i> |
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| comment | 294                                                                                                                                                                                                                                                                                                                                       | comment by: <i>European Transport Workers Federation - ETF</i> |
|         | Every case is not covered, the case where AMS is provided partly by the aerodrome operator and partly by the ATS unit is not tackled, even though, a written agreement between the aerodrome operator and the ATS unit is needed.<br>The attempt of clarification is done with too few consideration of the Air Traffic Management world. |                                                                |

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| response | <i>Not accepted</i> |
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|  | This specific case is considered covered under point (b). |
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| comment | 488 | comment by: <i>DGAC France</i> |
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**ADR.OPS.D.010 Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit**

**Level 2 – Suggestion for clarification**

See also general comment on Subpart D and ADR.OPS.D.001.

ADR.OPS.D.010 should be split into two IRs :

- (a)(1) applies to the aerodrome operator and should therefore stay in Subpart D, applying to the aerodrome operator ;
- (a)(2) applies to the AMS provider, when established, and should therefore be moved in new Subpart E, related to AMS ;
- (b) is a particular case already dealt by (a), is therefore useless and should be deleted.

**ADR.OPS.D.010 Written agreement between the aerodrome operator and the provider of apron management services, the aerodrome operator and the ATS Unit**

~~(a)~~ The aerodrome operator shall:

~~(1)~~ have a written agreement with the provider of apron management services when such a provider has been established on the aerodrome;

**ADR.OPS.D.010 ADR.OPS.E.020 Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit**

The apron management service provider shall have

~~(2)~~ ensure that formal arrangements are established between the provider of apron management services and with the air traffic services provider, for the coordination of apron



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|          | <p>activities with the manoeuvring area activities.</p> <p><del>(b) When the aerodrome operator or the air traffic services provider provides apron management services in accordance with the provisions of ADR.OPS.D.005, formal arrangements shall be in place between the aerodrome operator and the air traffic services provider for the coordination of apron activities with the manoeuvring area activities.</del></p> <p><b>AMC1 ADR.OPS.D.010(a)(1) Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b></p> <p>WRITTEN AGREEMENT BETWEEN THE AERODROME OPERATOR AND THE PROVIDER OF APRON MANAGEMENT SERVICES</p> <p>[...]</p> <p><del>AMC1 ADR.OPS.D.010(a)(2),(b)</del> <b>ADR.OPS.E.020 Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b></p> <p>FORMAL ARRANGEMENTS</p> <p>The formal arrangements between the provider of apron management services and the ATS Unit <del>or between the aerodrome operator, when it provides apron management services, and the ATS Unit</del> should include at least the following:</p> <p>[...]</p> |
| response | <p><i>Partially accepted</i></p> <p>The proposal to distinguish the written agreements between the aerodrome operator and the provider of apron management services from the formal arrangements between the provider of apron management services and the air traffic services provider has been accepted and the former has been included in Subpart D as ADR.OPS.D.005 while the latter has been included in Subpart E as ADR.OPS.E.020. However, the rule in ADR.OPS.D.005 has remained unchanged and more specifically point (a)(2) has been retained because the aerodrome operator, being responsible for the operation of the aerodrome, has to ensure the existence of formal arrangements between the provider of apron managements services and the air traffic services provider.</p>                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>533 <span style="float: right;">comment by: <i>Swedish Transport Agency</i></span></p> <p>The headline states that there should be a written agreement between the aerodrome operator and the ATS unit. ATS unit should be changed to ATS provider. It is the provider who signs an agreement.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <p><i>Accepted</i></p> <p>The requirement for formal arrangements between the provider of apron management services and the air traffic services provider has been moved from Subpart D to Subpart E and the term 'ATS Unit' has been changed to 'ATS provider', as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>895 <span style="float: right;">comment by: <i>ADP : Aeroports de Paris</i></span></p> <p>1. Ref. ADR.OPS.D.010 (a) (1) :</p> <p>Comment: One airport may have different independent aprons with different status (and different AMS providers) as already the case at Paris CDG airport. This point is a good example of the case already exposed in ADP comment n°894</p> <p>Proposal: Replace "... on the aerodrome;" by "...on the aerodrome or part of the aerodrome;"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



ADR.OPS.D.010 is now ADR.OPS.D.005 and the proposal has been accepted.

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                         |
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| comment  | 925                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>The Civil Aviation Authority</i>         |
|          | <p>If establishment of formal agreements is aerodrome operator's obligation, that could bring on extractions and put pressure on aerodrome operators. Establishment of agreements should be common obligation of the aerodrome operator, the ATS and the provider of apron management services – if their responsibilities are going to be shared. There should be also specified when such agreement should be written, i.e. before the date of issue of the certificate.</p> <p>Moreover there is a need to specify what should include (at least) an agreement between aerodrome operator and ATS, if aerodrome operator provides apron management services (in cooperation with ATS, with no independent apron service provider) – currently in GM there is only reference (twice) to the agreement between aerodrome operator, ATS and apron service provider.</p> |                                                         |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                         |
|          | <p>The aerodrome operator has the sole responsibility for the operation of the apron. For that reason, it is its responsibility to have the written agreement with the provider of apron management services and to ensure the existence of the formal arrangements between the provider of apron management services and the air traffic services provider.</p> <p>As for the second part of the comment, point (b) in ADR OPS.D.005 (former ADR OPS.D.010) covers this case.</p>                                                                                                                                                                                                                                                                                                                                                                                      |                                                         |
| comment  | 935                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>Polish Regional Airports Association</i> |
|          | <p>In Poland all certified airport have got agreements with Polish Air Navigation Services Agency (ATC) which describes task and responsibilities within apron management area. We recommend that this new UE regulation should authorize these agreements as meeting its requirements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                         |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                         |
|          | <p>Point (b) of ADR OR.D.005 (former ADR.OR.D.010) covers this case.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                         |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.015 Management of aircraft movement on the apron**

p. 25

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                      |
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| comment | 51                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: <i>Flughafen Berlin Brandenburg GmbH</i> |
|         | <p>This provision should refer to the entity in charge of apron management services. In addition to this, ADR.OPS.D.015 should stipulate that the "means and procedures" are in line with those mentioned in ADR.OPS.030.</p> <p>Suggestion:<br/>Render the current provision as (a), replace "aerodrome operator" in (a) with ("entity in charge of apron management services" and add "(b) The means and procedures mentioned in (a) should be harmonised with the means and procedures mentioned in ADR.OPS.B.030"</p> |                                                      |



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| response | <p><i>Partially accepted</i></p> <p>The allocation of responsibilities was not clear in the proposed text. In order to provide clarity between the responsibilities of the aerodrome operator and the provider of apron management services, ADR OPS.D.010 (former ADR OPS.D.015) refers to the responsibilities of the aerodrome operator to ensure that means and procedures are in place for the management of aircraft movements on the apron, while a new rule ADR OPS.E.005 refers to the responsibilities of the provider of apron management services to regulate the aircraft movements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | <p>112 <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p> <p>This provision should refer to the entity in charge of apron management services. In addition to this, ADR.OPS.D.015 should stipulate that the "means and procedures" are in line with those mentioned of ADR.OPS.B.030. Suggestion: Render the current provision as (a), replace "aerodrome operator" in (a) with "entity in charge of apron management services" and add "(b) The means and procedures mentioned in (a) should be harmonised with the means and procedures mentioned in ADR.OPS.B.030."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| comment  | <p>224 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p><a href="#">Attachment #86</a></p> <p>Please find Union des Aéroports Français comments</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OPS.D.015 Management. of aircraft movement on the apron</li> <li><input type="checkbox"/> ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION</li> </ul> </li> <li><input type="checkbox"/> ADR.OPS.D.025 Apron management boundaries.</li> <li><input type="checkbox"/> ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li><input type="checkbox"/> ADR.OPS.D.035 Management of vehicle movements       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li>o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS</li> </ul> </li> <li><input type="checkbox"/> ADR.OPS.D.045 Management of apron safety</li> <li><input type="checkbox"/> ADR.OPS.D.050 Aircraft stand allocation</li> </ul> |



- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.065 Aircraft departure
- ADR.OPS.D.085 Training

#### Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025 Apron management boundaries impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

#### Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

#### Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit



from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025 Apron management boudaries oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

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Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Noted*

Concerning the coordination of aircraft entry to/exit from the apron, the aerodrome operator has to ensure that it is coordinated with the air traffic services. The responsibility for the apron is on the aerodrome operator, therefore, any procedure should be established in coordination with the air traffic services.

comment

257

comment by: *Aena*

Also between aircraft and vehicles (as long as they are not considered as obstacles).

response

*Accepted*

ADR OPS.D.010 (former ADR OPS.D.015) has been amended to include as well vehicles and



persons in accordance with Regulation (EU) No 923/2012 (SERA 3210(d)(4)).

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                   |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| comment  | 263                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>Nordic ADR Group (NO, SE, DK, FI, IC &amp; EE)</i> |
|          | ADR.OPS.D.015:<br>Why are only aircraft and obstacles considered? Why are vehicles not included in collision prevention?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                   |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                   |
|          | ADR OPS.D.010 (former ADR OPS.D.015) has been amended to include as well vehicles and persons in accordance with Regulation (EU) No 923/2012 (SERA 3210(d)(4)).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                   |
| comment  | 284                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>Avinor</i>                                         |
|          | This provision should refer to the entity in charge of apron management services. In addition to this, ADR.OPS.D.015 should stipulate that the "means and procedures" are in line with those mentioned of ADR.OPS.B.030. Suggestion: Render the current provision as (a), replace "aerodrome operator" in (a) with "entity in charge of apron management services" and add "(b) The means and procedures mentioned in (a) should be harmonised with the means and procedures mentioned in ADR.OPS.B.030."                                                                                                                                                                                                             |                                                                   |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                   |
|          | The allocation of responsibilities was not clear in the proposed text. In order to provide clarity between the responsibilities of the aerodrome operator and the provider of apron management services, ADR OPS.D.010 (former ADR OPS.D.015) refers to the responsibilities of the aerodrome operator to ensure that means and procedures are in place for the management of aircraft movements on the apron, while a new rule ADR OPS.E.005 refers to the responsibilities of the provider of apron management services to regulate the aircraft movements.                                                                                                                                                         |                                                                   |
| comment  | 362                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>Aéroports De Lyon</i>                              |
|          | <p><b>ADR.OPS.D.015 Management of aircraft movement on the apron</b><br/>The aerodrome operator shall ensure that means and procedures are in place for the management of aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.</p> <p><b>ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron</b><br/>The aerodrome operator shall ensure that entry of aircraft to, and exit of aircraft from, the apron is coordinated with the air traffic services provider.</p> <p><a href="#">Commentaire : L'exploitant n'est pas seul responsable de la gestion des mouvements avions, le SNA et les assistants sont les principaux concernés.</a></p> |                                                                   |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                   |
| comment  | 397                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>ACI EUROPE (Airports Council International)</i>    |
|          | This provision should refer to the entity in charge of apron management services. In addition to this, ADR.OPS.D.015 should stipulate that the "means and procedures" are in line with                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                   |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>those mentioned of ADR.OPS.B.030.<br/>         Suggestion: Render the current provision as (a), replace "aerodrome operator" in (a) with "entity in charge of apron management services" and add "(b) The means and procedures mentioned in (a) should be harmonised with the means and procedures mentioned in ADR.OPS.B.030."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Partially accepted</i></p> <p>The allocation of responsibilities was not clear in the proposed text. In order to provide clarity between the responsibilities of the aerodrome operator and the provider of apron management services, ADR OPS.D.010 (former ADR OPS.D.015) refers to the responsibilities of the aerodrome operator to ensure that means and procedures are in place for the management of aircraft movements on the apron, while a new rule ADR OPS.E.005 refers to the responsibilities of the provider of apron management services to regulate the aircraft movements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | <p>483 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Page No:</b> 25<br/> <b>Paragraph No:</b> ADR.OPS.D.015 Management of aircraft movement on the apron<br/> <b>Comment:</b> The text should also include prevention of collision with vehicles or persons.<br/> <b>Justification:</b> Consistency with Commission Regulation (EU) No. 923/2012 SERA.3210(d)(4).<br/> <b>Proposed Text:</b> "The aerodrome operator shall ensure that means and procedures are in place for the management of aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft, obstacles, <b>vehicles and persons.</b>"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <p><i>Accepted</i></p> <p>ADR OPS.D.010 (former ADR OPS.D.015) has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>489 <span style="float: right;">comment by: DGAC France</span></p> <p><b>ADR.OPS.D.015 Management of aircraft movement on the apron</b><br/> <b>Level 1 - Fundamental comment</b><br/>         See also general comment on Subpart D and ADR.OPS.D.001.<br/>         ADR.OPS.D.015 should be split into two IRs :<br/>         - Strategic level : the AD operator shall ensure high-level rules are established and implemented ;<br/>         - Tactical level : the AMS provider, if established, shall manage aircraft movement taking these high-level rules into account. Cf proposal made for new ADR.OPS.E.005.<br/>         AMC1 ADR.OPS.D.015 applies to guidance of aircraft by AMS providers when established : it should be moved in Subpart E.<br/>         GM1 ADR.OPS.D.015 is related to visual aids provided by aerodrome operators, irrespective of the presence of an AMS, and should remain in Subpart D.<br/> <b>ADR.OPS.D.015 Management of aircraft movement on the apron</b><br/>         The aerodrome operator shall ensure that means and procedures are in place for the management of aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.<br/> <b>ADR.OPS.E.005 Regulation of aircraft movement on the apron</b><br/>         When established on the aerodrome, the apron management service provider shall regulate aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft</p> |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|          | <p>and obstacles.</p> <p><del>AMC1 ADR.OPS.D.015</del> <del>AMC1 ADR.OPS.E.005</del> <del>Management</del> <del>Regulation</del> of aircraft movement on the apron</p> <p>AIRCRAFT GUIDANCE</p> <p>Prior to the movement of aircraft on the apron, <del>the aerodrome operator should ensure that</del> appropriate instructions <del>are</del> <del>should be</del> provided to the persons <del>directly responsible for</del> <del>in</del> <del>charge</del> of the safe manoeuvring of the aircraft either by:</p> <p>(a) issuing verbal instructions on a pre-determined radio frequency; or</p> <p>(b) a leader van; or</p> <p>(c) appropriate signals by marshallers; or</p> <p>(d) other means of guidance; or</p> <p>(e) a combination of the above.</p> <p><b>GM1 ADR.OPS.D.015 Management of aircraft movement on the apron</b></p> <p><del>OTHER MEANS OF GUIDANCE</del> <del>VISUAL AIDS</del></p> <p><del>Other means of guidance may be</del> Visual aids such as markings, lights, signs and/or markers <del>that may</del> provide information to the persons directly responsible for the aircraft manoeuvring on the apron.</p> |
| response | <p><i>Accepted</i></p> <p>The proposal to distinguish the responsibilities between the aerodrome operator and the provider of apron management services has been accepted. ADR OPS.D.015 has been renumbered as ADR OPS.D.010, and ADR OPS.E.005 has been introduced. In both rules, text has been amended to include as well vehicles and persons in accordance with Regulation (EU) No 923/2012 (SERA 3210(d)(4)).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | <p>534 <span style="float: right;">comment by: <i>Swedish Transport Agency</i></span></p> <p>Add vehicles in collision prevention.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <p><i>Accepted</i></p> <p>ADR OPS.D.010 (former ADR OPS.D.015) has been amended to include as well vehicles and persons in accordance with Regulation (EU) No 923/2013 (SERA 3210(d)(4)).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>645 <span style="float: right;">comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></span></p> <p>Attachment <a href="#">#87</a></p> <p>Comment 11</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <p><input type="checkbox"/> ADR.OPS.D.015 Management. of aircraft movement on the apron</p> <p><input type="checkbox"/> ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron</p> <p>o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron</p> <p>COORDINATION</p> <p><input type="checkbox"/> ADR.OPS.D.025 Apron management boundaries.</p> <p><input type="checkbox"/> ADR.OPS.D.030 Assignment of radio frequencies to apron management service</p> <p><input type="checkbox"/> ADR.OPS.D.035 Management of vehicle movements</p> <p>o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</p>                                                                                                                                                                                                                      |



o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

ADR.OPS.D.045 Management of apron safety

ADR.OPS.D.050 Aircraft stand allocation

ADR.OPS.D.060 Aircraft parking

ADR.OPS.D.065 Aircraft departure

ADR.OPS.D.085 Training

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Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

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Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation



Coordination  
Comments

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The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

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Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Noted*

Concerning the coordination of aircraft entry to/exit from the apron, the aerodrome operator has to ensure that it is coordinated with the air traffic services. The responsibility for the apron is on the aerodrome operator, therefore, any procedure should be established in coordination with the air traffic services.

comment

687

comment by: ACA - Aéroports de la Côte d'Azur - NCE/LFMN



## Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

## Références

- 

ADR.OPS.D.015 Management. of aircraft movement on the apron

- o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

- ADR.OPS.D.025 Apron management boundaries.
- ADR.OPS.D.030 Assignment of radio frequencies to apron management service
- ADR.OPS.D.035 Management of vehicle movements

- o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

- o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

- ADR.OPS.D.045 Management of apron safety
- ADR.OPS.D.050 Aircraft stand allocation
- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.065 Aircraft departure
- ADR.OPS.D.085 Training

## Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et



certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boundaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the



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|          | <p>flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).</p> <p>- ADR.OPS.D.025 Apron management boundaries<br/>Remplace « publish » par « provide »</p> <p>- ADR.OPS.D.030 Assignment of radio frequencies to apron management service<br/>Delete this rule</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| response | <p><i>Noted</i></p> <p>Concerning the coordination of aircraft entry to/exit from the apron, the aerodrome operator has to ensure that it is coordinated with the air traffic services. The responsibility for the apron is on the aerodrome operator, therefore, any procedure should be established in coordination with the air traffic services.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <p>709 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #88</a></p> <p>Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).</p> <p>Objet<br/>Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.AR.C035 (b)(1) et (d) Issuance of certificates</li> <li><input type="checkbox"/> ADR.OPS.D.001 Provision of services</li> <li><input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services</li> </ul> <p>Commentaires</p> <p>1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation. En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided"). A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.</p> <p>De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car Il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.</p> <ul style="list-style-type: none"> <li>- ADR.AR.C.035 Issuance of certificates (2)</li> <li>- ADR.OR.C.030 Occurrence reporting (c)</li> <li>- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services</li> <li>- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)</li> <li>- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)</li> <li>- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)</li> </ul> <p>2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de</p> |



gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) ( 1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron



ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,  
 ADR.OPS.D.035 Management of vehicle movements.  
 That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.  
 4/ Proportional measures  
 The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.

response *Noted*

comment 748

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#89](#)

Rôle de coordination dévolu à l'exploitant d'aérodrome

Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

•

ADR.OPS.D.015 Management. of aircraft movement on the apron

o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

• ADR.OPS.D.025 Apron management boundaries.

• ADR.OPS.D.030 Assignment of radio frequencies to apron management service

• ADR.OPS.D.035 Management of vehicle movements

o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

• ADR.OPS.D.045 Management of apron safety

• ADR.OPS.D.050 Aircraft stand allocation

• ADR.OPS.D.060 Aircraft parking

• ADR.OPS.D.065 Aircraft departure

• ADR.OPS.D.085 Training

Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants



(ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|          | <p>services).</p> <p>These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).</p> <p>ADR.OPS.D.025</p> <p><i>Apron management boudaries</i></p> <p>oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.</p> <p>Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.</p> <p>Proposal</p> <p>Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).</p> <p>- ADR.OPS.D.025 Apron management boundaries<br/>Remplace « publish » par « provide »</p> <p>- ADR.OPS.D.030 Assignment of radio frequencies to apron management service<br/>Delete this rule</p> |
| response | <p><i>Noted</i></p> <p>Concerning the coordination of aircraft entry to/exit from the apron, the aerodrome operator has to ensure that it is coordinated with the air traffic services. The responsibility for the apron is on the aerodrome operator, therefore, any procedure should be established in coordination with the air traffic services.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>772 <span style="float: right;">comment by: IFATCA</span></p> <p>ADR.OPS.D.015 Management of aircraft movement on the apron The aerodrome operator shall ensure that means and procedures are in place for the management of aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles <b>AND aircraft and other traffic participants.</b><br/>add to be complete</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Accepted</i></p> <p>ADR OPS.D.010 (former ADR OPS.D.015) has been amended to include as well vehicles and persons in accordance with Regulation (EU) No 923/2012 (SERA 3210(d)(4)).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>795 <span style="float: right;">comment by: Assaeroporti - Associazione Italiana Gestori Aeroporti</span></p> <p>This provision should refer to the entity in charge of apron management services. In addition to this, ADR.OPS.D.015 should stipulate that the "means and procedures" are in line with</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|          | those mentioned of ADR.OPS.B.030.<br>Suggestion: Render the current provision as (a), replace "aerodrome operator" in (a) with "entity in charge of apron management services" and add "(b) The means and procedures mentioned in (a) should be harmonised with the means and procedures mentioned in ADR.OPS.B.030."                                                                                                                                                                                                                                                                          |
| response | <i>Partially accepted</i><br><br>The allocation of responsibilities was not clear in the proposed text. In order to provide clarity between the responsibilities of the aerodrome operator and the provider of apron management services, ADR OPS.D.010 (former ADR OPS.D.015) refers to the responsibilities of the aerodrome operator to ensure that means and procedures are in place for the management of aircraft movements on the apron, while a new rule ADR OPS.E.005 refers to the responsibilities of the provider of apron management services to regulate the aircraft movements. |
| comment  | 796 comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i><br><br>Activities as part of the management of aircraft movement on the apron which are not clearly attributed by national law to the Airport Operator should not fall within the AO responsibilities or competences (e.g. In Italy the Airport Operator is not the entity in charge of providing the service to prevent collision between aircraft).                                                                                                                                                            |
| response | <i>Not accepted</i><br><br>The responsibilities of the air traffic services providers are limited to the manoeuvring area. The responsibility for the apron operation rests with the aerodrome operator. Irrespective of the arrangements between the aerodrome operator and the air traffic services provider, the responsibility to ensure that means and procedures are in place for the management of aircraft movements on the apron remains with the aerodrome operator.                                                                                                                 |
| comment  | 876 comment by: <i>Vienna International Airport</i><br><br>The aerodrome operator cannot ensure that means and procedures are in place for the management of aircraft movement on the apron when these tasks are fulfilled by the air traffic service provider.                                                                                                                                                                                                                                                                                                                                |
| response | <i>Not accepted</i><br><br>The responsibilities of the air traffic services providers are limited to the manoeuvring area. The responsibility for the apron operation rests with the aerodrome operator. Irrespective of the arrangements between the aerodrome operator and the air traffic services provider, the responsibility to ensure that means and procedures are in place for the management of aircraft movements on the apron remains with the aerodrome operator.                                                                                                                 |
| comment  | 937 comment by: <i>Federal Office of Civil Aviation FOCA</i><br><br>FOCA suggests to replace the word "obstacles" with "obstructions" (in accordance with ICAO terminology). Furthermore, it is not clear if vehicles are considered as "obstacles".                                                                                                                                                                                                                                                                                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



ADR OPS.D.010 (former ADR OPS.D.015) has been amended to include as well vehicles and persons in accordance with Commission Regulation (EU) No 923/2012 (SERA 3210(d)(4)).

comment 1006 comment by: *Turin Airport - TRN/LIMF*

This provision should refer to the entity in charge of apron management services. In addition to this, ADR.OPS.D.015 should stipulate that the "means and procedures" are in line with those mentioned of ADR.OPS.B.030.

Suggestion: Render the current provision as (a), replace "aerodrome operator" in (a) with "entity in charge of apron management services" and add "(b) The means and procedures mentioned in (a) should be harmonised with the means and procedures mentioned in ADR.OPS.B.030."

response *Partially accepted*

The allocation of responsibilities was not clear in the proposed text. In order to provide clarity between the responsibilities of the aerodrome operator and the provider of apron management services, ADR OPS.D.010 (former ADR OPS.D.015) refers to the responsibilities of the aerodrome operator to ensure that means and procedures are in place for the management of aircraft movements on the apron, while a new rule ADR OPS.E.005 refers to the responsibilities of the provider of apron management services to regulate the aircraft movements.

comment 1007 comment by: *Turin Airport - TRN/LIMF*

Activities as part of the management of aircraft movement on the apron which are not clearly attributed by national law to the Airport Operator should not fall within the AO responsibilities or competences (e.g. In Italy the Airport Operator is not the entity in charge of providing the service to prevent collision between aircraft).

response *Not accepted*

The responsibilities of the air traffic services providers are limited to the manoeuvring area. The responsibility for the apron operation rests with the aerodrome operator. Irrespective of the arrangements between the aerodrome operator and the air traffic services provider, the responsibility to ensure that means and procedures are in place for the management of aircraft movements on the apron, remains with the aerodrome operator.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron**

p. 25

comment 225 comment by: *Union des Aéroports français - UAF*

Attachment [#90](#)

Please find Union des Aéroports Français comments

Rôle de coordination dévolu à l'exploitant d'aérodrome

Objet



Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

- 

ADR.OPS.D.015 Management. of aircraft movement on the apron

- o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

- ADR.OPS.D.025 Apron management boundaries.

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

- ADR.OPS.D.035 Management of vehicle movements

- o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

- o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

- ADR.OPS.D.045 Management of apron safety

- ADR.OPS.D.050 Aircraft stand allocation

- ADR.OPS.D.060 Aircraft parking

- ADR.OPS.D.065 Aircraft departure

- ADR.OPS.D.085 Training

Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'Etat. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.



Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the apron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boundaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsibility of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | define a internal state rule (i.e.Air Rules).<br><br>- ADR.OPS.D.025 Apron management boundaries<br>Remplace « publish » par « provide »<br>- ADR.OPS.D.030 Assignment of radio frequencies to apron management service<br>Delete this rule                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <i>Noted</i><br><br>Concerning the coordination of aircraft entry to/exit from the apron, the aerodrome operator has to ensure that it is coordinated with the air traffic services. The responsibility for the apron is on the aerodrome operator, therefore, any procedure should be established in coordination with the air traffic services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | 329 <span style="float: right;">comment by: <i>Aena</i></span><br><br>But not for each of them separatedly. Add at the end of the requirement: "according to the defined coordination procedures".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <i>Accepted</i><br><br>ADR OPS.D.015 (former ADR OPS.D.020) refers to the aerodrome operator responsibilities. When an apron management services provider has been established on the aerodrome, then a new rule ADR.OPS.E.010 is applicable and the proposal has been included there.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | 363 <span style="float: right;">comment by: <i>Aéroports De Lyon</i></span><br><br><b>ADR.OPS.D.015 Management of aircraft movement on the apron</b><br>The aerodrome operator shall ensure that means and procedures are in place for the management of aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.<br><b>ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron</b><br>The aerodrome operator shall ensure that entry of aircraft to, and exit of aircraft from, the apron is coordinated with the air traffic services provider.<br><a href="#">Commentaire : L'exploitant n'est pas seul responsable de la gestion des mouvements avions, le SNA et les assistants sont les principaux concernés.</a>                                                                                         |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | 490 <span style="float: right;">comment by: <i>DGAC France</i></span><br><br><b>ADR.OPS.D.020 Coordination of aircraft entry to / exit from the apron</b><br><b>Level 1 - Fundamental comment</b><br>See also general comment on Subpart D and ADR.OPS.D.001.<br>ADR.OPS.D.020 applies to coordination between AMS providers and ATS : see <a href="#">ICAO Annex 14 para 9.5.2</a> . It should therefore apply to the AMS provider and be moved in new Subpart E, as well as its associated AMCs.<br>As regards AMC1 ADR.OPS.D.020, the redaction should be more generic. <b>As the NPA gives no definition of the means that can be used to provide AMS, it is not clear whether leader van or marshalling can be seen as a specific means to provide the AMS service, just like apron control tower is another means. This should be clarified. AMC1 ADR.OPS.D.020 gives</b> |



**the impression that leader van service and marshalling are considered out of the scope of an AMS unit.**

As regards GM1 ADR.OPS.B.020, holding areas may exist whether or not an AMS provider is established. These areas may be used by aircraft independently from the process of “coordination of aircraft entry to / exit from the apron” between the AMS provider and the ANSP. The corresponding GM should therefore be linked with ADR.OPS.D.015, dealing with “management of aircraft movement on the apron”, rather than with ADR.OPS.D.020. The location of such areas should be coordinated between the aerodrome operator, the ANSP, and the AMS provider if the latter exists.

**ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to /exit from the apron**

~~The aerodrome operator shall ensure that~~ **The apron management service provider shall have coordination procedures for** entry of aircraft to, and exit of aircraft from, the apron is coordinated with the air traffic services provider.

**AMC1 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron**  
COORDINATION

~~The aerodrome operator~~ **apron management service provider** in cooperation with air traffic services should establish coordination procedures for the handover of aircraft between air traffic services and:

- ~~(a) apron management services unit, when established; or~~
- ~~(b) a leader van service; or~~
- ~~(c) marshalling services.~~

**AMC2 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron**  
HANDOVER POINTS

~~The aerodrome operator~~ **apron management service provider**, in cooperation with air traffic services, should establish handover point(s) between the apron and the manoeuvring area, when traffic is managed by two different units.

**AMC3 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron**  
COORDINATION PROCEDURE

~~The aerodrome operator~~ **apron management service provider** in cooperation with air traffic services should establish coordination procedures containing at least:

- ~~(a) the boundaries of the area where apron management services are is provided;~~
- (b) the handover points between apron and manoeuvring area;
- (c) the holding areas;
- (d) the means of guidance for the aircraft taxiing;
- (e) the operational information to be exchanged between both parties; and
- (f) the push back operations, when interfering with the manoeuvring area.

**GM1 ADR.OPS.D.020 GM2 ADR.OPS.D.015 Coordination of aircraft entry to/exit from the apron**

HOLDING AREAS

When aircraft parking stands are not available, then it is necessary to define areas where arriving aircraft will hold until an aircraft stand is vacant. The location of the holding areas should be agreed between the aerodrome operator, ~~and~~ the air traffic services **and the provider of apron management services if established**, taking into account various factors such as the movement area layout, traffic density, etc.

response *Partially accepted*

The aerodrome operator, as being responsible for the operation of the apron, is also responsible to ensure that entry and exit of the aircraft from/to the apron is coordinated with the air traffic services provider. This is a high-level requirement irrespective of the existence of a provider of apron management services. On the other hand, it has to be



ensured that whenever a provider of apron management services has been established on the aerodrome, the entry and exit of aircraft to/from the apron is coordinated between the provider of apron management services and the air traffic services provider. For this reason, ADR OPS.E.010 has been introduced.

comment

574

comment by: ANACNA

**Rationale for change:**

*"It should be emphasized that the ATS provision is limited only to the orderly movement of the aircraft towards/from the Apron stands and that it necessarily ceases/starts over the Apron hand-over points"*

**"ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron.**

"The aerodrome operator shall ensure that entry of aircraft to, and exit of aircraft from, the apron **hand-over points** is coordinated with the air traffic services provider."

response

*Noted*

The establishment of hand-over points has been introduced at AMC level.

comment

581

comment by: Belgian CAA

Also add "in cooperation with air traffic services" like in D.025.

response

*Not accepted*

ADR OPS.D.015 (former ADR OPS.D.020) refers to the responsibility of the aerodrome operator to ensure that the entry and exit of aircraft to/from the apron is coordinated with the air traffic services provider. It does not refer to the entity responsible to establish the coordination procedure. On the other hand, ADR OPS.D.020 (former ADR OPS.D.025) refers to the establishment of apron management services boundaries, where the cooperation between the aerodrome operator and the air traffic services provider is necessary.

comment

646

comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD

Attachment [#91](#)

Comment 11

Rôle de coordination dévolu à l'exploitant d'aérodrome

Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

•

ADR.OPS.D.015 Management. of aircraft movement on the apron

o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

• ADR.OPS.D.025 Apron management boundaries.

• ADR.OPS.D.030 Assignment of radio frequencies to apron management service

• ADR.OPS.D.035 Management of vehicle movements

o



AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

- ADR.OPS.D.045 Management of apron safety
- ADR.OPS.D.050 Aircraft stand allocation
- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.065 Aircraft departure
- ADR.OPS.D.085 Training

Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.

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L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

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Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service



Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

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THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boudaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

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Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Noted*

Concerning the coordination of aircraft entry to/exit from the apron, the aerodrome operator has to ensure that it is coordinated with the air traffic services. The responsibility



for the apron is on the aerodrome operator, therefore, any procedure should be established in coordination with the air traffic services

comment

710

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#92](#)

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

- ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable", notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

3/ Proportionnalité des mesures



La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

#### Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on witch criteria an apron management unit should be implemented

2/ Could we have several apron management units on an aerodrome?

The ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by the ADR.AR.C035 ( b ) (1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an epron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,

ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.

response *Noted*



comment

749

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#93](#)

Rôle de coordination dévolu à l'exploitant d'aérodrome

Rôle de coordination dévolu à l'exploitant d'aérodrome

Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

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ADR.OPS.D.015 Management. of aircraft movement on the apron

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AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

- ADR.OPS.D.025 Apron management boundaries.
- ADR.OPS.D.030 Assignment of radio frequencies to apron management service
- ADR.OPS.D.035 Management of vehicle movements

o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

- ADR.OPS.D.045 Management of apron safety
- ADR.OPS.D.050 Aircraft stand allocation
- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.065 Aircraft departure
- ADR.OPS.D.085 Training

Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le



Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boudaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boudaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives



to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Replace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Noted*

Concerning the coordination of aircraft entry to/exit from the apron, the aerodrome operator has to ensure that it is coordinated with the air traffic services. The responsibility for the apron is on the aerodrome operator, therefore, any procedure should be established in coordination with the air traffic services.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.025 Apron management services boundaries**

p. 25

comment

52

comment by: *Flughafen Berlin Brandenburg GmbH*

Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone.

Replace

The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries of the aerea where the apron management services are provided.

by

"The aerodrome operator, in cooperation with the air traffic services shall define an d publish in the Aeronautical Information Publication the boundaries between different areas of responsibility."

response

*Accepted*

The text has been amended as proposed.

comment

113

comment by: *ADV - German Airports Association*

Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>Replace</p> <p>"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries of the area where apron management services are provided."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| response | <p><i>Accepted</i></p> <p>The text has been amended as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>226 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p><a href="#">Attachment #94</a></p> <p>Please find Union des Aéroports Français comments</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li>•</li> <li>ADR.OPS.D.015 Management. of aircraft movement on the apron       <ul style="list-style-type: none"> <li>o</li> <li>AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION</li> </ul> </li> <li>• ADR.OPS.D.025 Apron management boundaries.</li> <li>• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li>• ADR.OPS.D.035 Management of vehicle movements       <ul style="list-style-type: none"> <li>o</li> <li>AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li>o</li> <li>AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS</li> </ul> </li> <li>• ADR.OPS.D.045 Management of apron safety</li> <li>• ADR.OPS.D.050 Aircraft stand allocation</li> <li>• ADR.OPS.D.060 Aircraft parking</li> <li>• ADR.OPS.D.065 Aircraft departure</li> <li>• ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives. Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).</p> <p>Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.</p> <p>Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il</p> |



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 COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de  
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L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le  
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 fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les  
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 l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de  
 l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et  
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Les procédures et missions prévues aux projets de textes doivent être définies et mises en  
 oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la  
 procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

*Propositions*

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États  
 membres de désigner l'autorité en charge de la procédure, éventuellement par un texte  
 réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the  
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 from the apron, publication of the aeronautical information, management of the movements  
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|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|          | <p>ADR.OPS.D.025<br/><i>Apron management boundaries</i></p> <p>oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsibility of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.</p> <p>Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.</p> <p>Proposal</p> <p>Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).</p> <p>- ADR.OPS.D.025 Apron management boundaries<br/>Remplace « publish » par « provide »</p> <p>- ADR.OPS.D.030 Assignment of radio frequencies to apron management service<br/>Delete this rule</p> |
| response | <p><i>Accepted</i></p> <p>The text has been revised to include only the provision on information to the aeronautical information services provider.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>285 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone.</p> <p>Replace</p> <p>"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries of the area where apron management services are provided."</p> <p>by</p> <p>"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries between different areas of responsibility."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| response | <p><i>Accepted</i></p> <p>The text has been amended as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>295 <span style="float: right;">comment by: <i>European Transport Workers Federation - ETF</i></span></p> <p>EASA has changed the proposal of the rulemaking group.</p> <p>ETF is strongly disappointed by this change as we consider that apron boundaries shall be established and published even when there is no established apron management services</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>provider.<br/>The aerodrome users shall be made aware of the limits of responsibility on an apron/manoeuvring area therefore publication is essential.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <p><i>Partially accepted</i></p> <p>It is accepted that the limits of responsibilities between different areas should be published irrespective of the existence of a provider of apron management services, however, it is not appropriate to use the terms 'apron' and 'manoeuvring area' because in many cases and for operational reasons the responsibilities of the apron management services provider could be extended to some parts of the manoeuvring area.</p> <p>ADR OPS.D.020 (former ADR OPS.D.025) has been revised to require the publication of the boundaries between different areas of responsibility.</p>                                                                                                                                                             |
| comment  | <p>333 <span style="float: right;">comment by: <i>Aena</i></span></p> <p>In case of joint provision of ATS and apron, this requirement could be erased.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>398 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span></p> <p>Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone.</p> <p>Replace</p> <p>"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries of the area where apron management services are provided."</p> <p>by</p> <p>"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries between different areas of responsibility."</p> |
| response | <p><i>Accepted</i></p> <p>The text has been amended as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>491 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p><b>ADR.OPS.D.025 Apron management services boundaries</b><br/><b>Level 1 - Fundamental comment</b></p> <p>See also general comment on Subpart D and ADR.OPS.D.001.</p> <p>ADR.OPS.D.025 and its associated AMCs apply to the aerodrome operator, irrespective of the establishment of an AMS provider. It can therefore stay in Subpart D applying to the aerodrome operator.</p> <p>As regards publication of apron boundaries (AMC 2), the aerodrome operator should not be</p>                                                                                                                                                                                                                          |



required to publish this information itself, but only to provide the relevant and up-to-date data to the aeronautical information services providers, who will publish it. This is exactly the same issue as the one previously discussed as regards Subpart A “Aerodrome data”.

The following modifications are therefore proposed :

**ADR.OPS.D.025 Apron management services boundaries**

The aerodrome operator, in cooperation with air traffic services shall define and publish for publication in the Aeronautical Information Publication the boundaries of the apron area where apron management services are provided.

**AMC1 ADR.OPS.D.025 Apron management services boundaries**

DEFINITION OF APRON MANAGEMENT SERVICES BOUNDARIES

The aerodrome operator in cooperation with the air traffic services should define the boundaries of the apron area where apron management services are provided. [...]

**AMC2 ADR.OPS.D.025 Apron management services boundaries**

PUBLICATION OF APRON MANAGEMENT SERVICES BOUNDARIES

The aerodrome operator should publish provide data relevant to the apron management services boundaries to the aeronautical information services providers for publication in the Aeronautical Information Publication. A graphical illustration of the boundaries should be shown in the Aerodrome Chart.

response *Accepted*

The comment on the Implementing Rule has been accepted and ADR OPS.D.020 (former ADR OPS.D.025) has been revised to include the requirement for the aerodrome operator to define and provide for publication the boundaries between different areas of responsibility.

comment 522

comment by: *BAA Airside operations*

ADR.OPS.D.025

Replace

"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries of the area where apron management services are provided."

by

"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries between different areas of responsibility if there are such differences ( - explanation – as there is no split of responsibility at UK aerodromes).

response *Accepted*

The text has been amended as proposed.

comment 559

comment by: *Finavia*

Comment: Annex 15 sets out the requirements for what shall be published in the Aeronautical Information Publication.

response *Noted*

comment 647

comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*



Attachment [#95](#)

## Comment 11

## Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

## Références

- 

ADR.OPS.D.015 Management. of aircraft movement on the apron

- o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

- ADR.OPS.D.025 Apron management boundaries.
- ADR.OPS.D.030 Assignment of radio frequencies to apron management service
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- o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

- o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

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- ADR.OPS.D.050 Aircraft stand allocation
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- ADR.OPS.D.085 Training

## Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de



fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boudaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

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But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boudaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up



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|          | <p>broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.</p> <p>Proposal</p> <p>Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).</p> <p>- ADR.OPS.D.025 Apron management boundaries<br/>Remplace « publish » par « provide »</p> <p>- ADR.OPS.D.030 Assignment of radio frequencies to apron management service</p> <p>Delete this rule</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Accepted</i></p> <p>The text has been revised to include only the provision on information to the aeronautical information services provider.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>750 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p>Attachment <a href="#">#96</a></p> <p>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li>• ADR.OPS.D.015 Management. of aircraft movement on the apron       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION</li> </ul> </li> <li>• ADR.OPS.D.025 Apron management boundaries.</li> <li>• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li>• ADR.OPS.D.035 Management of vehicle movements       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li>o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS</li> </ul> </li> <li>• ADR.OPS.D.045 Management of apron safety</li> <li>• ADR.OPS.D.050 Aircraft stand allocation</li> <li>• ADR.OPS.D.060 Aircraft parking</li> <li>• ADR.OPS.D.065 Aircraft departure</li> <li>• ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.</p> <p>Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des</p> |



entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

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ADR.OPS.D.025

*Apron management boudaries*

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Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Accepted*

Text has been revised to include only the provision on information to the aeronautical information services provider

comment

797

comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone.

Replace

"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries of the area where apron management services are provided."

by

"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries between different areas of responsibility."

response

*Accepted*

The text has been amended as proposed.



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|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| comment  | 905<br>Cf. ADP comment # 904                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: ADP : Aeroports de Paris              |
| response | <i>Noted</i><br>Please refer to the replies in the relevant sections.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                   |
| comment  | 938<br>Currently, the apron boundary is depicted on the aerodrome chart in the AIP. Therefore, it should be clearly stated that the apron boundary is identical with the apron management service boundary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: Federal Office of Civil Aviation FOCA |
| response | <i>Partially accepted</i><br>This is not always the case, because, for operational reasons, the responsibilities of the apron management services provider may be extended to the manoeuvring area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                   |
| comment  | 943<br><b>Comment:</b><br>(l) is not in line with AMC2 ADR.OR.F.005 (i)(2) in terms of wording and detail. As a comparison: ADR.OR.E.005 (m) is in line with AMC3 ADR.OR.E.005<br><b>Justification:</b><br>Replace<br>"...(l) The content of the operations manual shall be as follows:<br>(1) General;<br>(2) Provider's management system, qualification and training requirements; and<br>(3) Particulars of the operating procedures for the provision of apron management services, its equipment and safety measures..."<br>by<br>"...(l) The content of the operations manual shall be as follows:<br>(1) General;<br>(2) Management system, qualification and training requirements;<br>(3) Particulars of the area where apron management service is provided;<br>(4) Particulars of apron management service required to be reported to the aeronautical information service<br>(5) Particulars of apron management service procedures, its equipment, and safety measures..."<br><b>Comment by:</b> ZRH/OF | comment by: Airport Zurich                        |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                   |
| comment  | 1008<br>Flight crews need to know where to expect handover points which are - in most cases -                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | comment by: Turin Airport - TRN/LIMF              |



related to different areas of responsibility and not necessarily to the boundaries of apron management services alone.

Replace

"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries of the area where apron management services are provided."

by

"The aerodrome operator, in cooperation with air traffic services shall define and publish in the Aeronautical Information Publication the boundaries between different areas of responsibility."

response *Accepted*

The text has been amended as proposed.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.030 Assignment of radio frequencies to apron management services**

p. 25

comment 53 comment by: Flughafen Berlin Brandenburg GmbH

The aerodrome operator is not in charge of administering and assigning radio frequencies. This provision should therefore be directed towards the competent authority.

response *Accepted*

ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

comment 114 comment by: ADV - German Airports Association

Move to AR. The aerodrome operator is not in charge of administering and assigning radio frequencies. This provision should therefore be directed towards the competent authority.

response *Accepted*

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comment 170 comment by: Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre

The aerodrome operator may not always have the authority to assign frequencies. This provision should therefore be rephrased and AMC/GM developed for this case. Furthermore the number of radio frequencies should be kept as low as possible so that pilots are not confused and distracted changing apron-frequencies while manoeuvring. This might be added to the GM as well.

Paragraph should read "...that an appropriate number..."



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|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p><i>Accepted</i></p> <p>ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>227 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p><a href="#">Attachment #97</a></p> <p>Please find Union des Aéroports Français comments</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li>•</li> <li>ADR.OPS.D.015 Management. of aircraft movement on the apron       <ul style="list-style-type: none"> <li>o</li> <li>AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION</li> </ul> </li> <li>• ADR.OPS.D.025 Apron management boundaries.</li> <li>• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li>• ADR.OPS.D.035 Management of vehicle movements       <ul style="list-style-type: none"> <li>o</li> <li>AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li>o</li> <li>AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS</li> </ul> </li> <li>• ADR.OPS.D.045 Management of apron safety</li> <li>• ADR.OPS.D.050 Aircraft stand allocation</li> <li>• ADR.OPS.D.060 Aircraft parking</li> <li>• ADR.OPS.D.065 Aircraft departure</li> <li>• ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.</p> <p>Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).</p> <p>Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.</p> <p>Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.</p> <p>Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de</p> |



coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

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ADR.OPS.D.025

*Apron management boundaries*

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Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Accepted*

ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

comment

286

comment by: *Avinor*

The aerodrome operator is not in charge of administering and assigning radio frequencies. This provision should therefore be directed towards the competent authority.

response

*Accepted*

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comment

399

comment by: *ACI EUROPE (Airports Council International)*

The aerodrome operator is not in charge of administering and assigning radio frequencies. This provision should therefore be directed towards the competent authority.

response

*Accepted*

ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider, for publication in the Aeronautical Information Publication.

comment

424

comment by: *Aéroports De Lyon*

The aerodrome operator is not in charge of administering and assigning radio frequencies. This provision should therefore be directed towards the competent authority.



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|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p><i>Accepted</i></p> <p>ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>492 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p><b>ADR.OPS.D.030 Assignment of radio frequencies to apron management services</b><br/> <b>Level 1 - Fundamental comment</b></p> <p>Neither aerodrome operators, nor AMS providers themselves, can be responsible for attributing radio frequencies to the apron control tower. In France, the management of radio frequencies belongs to the State, and has been assigned to a national Agency called Agence Nationale des Fréquences.</p> <p>Moreover, the attribution of radio frequencies relates to the provisions of apron management services, and the IR and corresponding AMCs should therefore be moved in Subpart E.</p> <p><del>ADR.OPS.D.030</del> <b>ADR.OPS.E.030 Assignment of radio frequencies to apron management services</b></p> <p>The aerodrome operator shall ensure that An appropriate number of radio telephony frequencies are shall be assigned to the apron management services unit and published in the Aeronautical Information Publication.</p> <p><b>AMC1</b> <del>ADR.OPS.D.030</del> <b>ADR.OPS.E.030 Assignment of radio frequencies to apron management services</b></p> <p>NUMBER OF FREQUENCIES</p> <p>The number of radio frequencies assigned to apron management services should depend on the following:</p> <p>(a) Apron layout;</p> <p>(b) Traffic density; and</p> <p>(c) Operational procedures</p> <p><b>AMC2</b> <del>ADR.OPS.D.030</del> <b>ADR.OPS.E.030 Assignment of radio frequencies to apron management services</b></p> <p>PUBLICATION OF APRON MANAGEMENT SERVICES RADIO FREQUENCIES</p> <p>The radio frequencies assigned to apron management services should be published notified by the apron management service provider to the relevant aeronautical information services providers for publication in the Aeronautical Information Publication.</p> |
| response | <p><i>Accepted</i></p> <p>ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>523 <span style="float: right;">comment by: <i>BAA Airside operations</i></span></p> <p>OPS.D.030 The aerodrome operator is not in charge of administering and assigning radio frequencies. This provision should therefore be directed towards the competent authority.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Accepted</i></p> <p>ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

comment 535 comment by: *Swedish Transport Agency*

It's stated that aerodrome operators shall ensure published information in AIP, a better writing is that the operators shall report the information they want to publish in the AIP to the AISP. (this also to be consistent with the writing in ADR.OR.B.070(b)(2) on page 19.)

response *Accepted*

ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

comment 536 comment by: *Swedish Transport Agency*

The aerodrome operator is not in charge of administering and assigning radio frequencies.

response *Accepted*

ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

comment 582 comment by: *Belgian CAA*

<...> ensure that an appropriate <...>

response *Noted*

The rule has been changed in order to require the provision of information to the Aeronautical Information Services only, for publication in the AIP.

comment 583 comment by: *Belgian CAA*

Next to the aerodrome operator, also the state has a responsibility in assigning an air frequency (management of the use of frequencies).

response *Accepted*

ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

comment 648 comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*

Attachment [#98](#)

Comment 11

Objet



Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

- 

ADR.OPS.D.015 Management. of aircraft movement on the apron

- o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

- ADR.OPS.D.025 Apron management boundaries.

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

- ADR.OPS.D.035 Management of vehicle movements

- o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

- o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

- ADR.OPS.D.045 Management of apron safety

- ADR.OPS.D.050 Aircraft stand allocation

- ADR.OPS.D.060 Aircraft parking

- ADR.OPS.D.065 Aircraft departure

- ADR.OPS.D.085 Training

Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.



Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the apron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boundaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsibility of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>define a internal state rule (i.e.Air Rules).</p> <ul style="list-style-type: none"> <li>- ADR.OPS.D.025 Apron management boundaries</li> </ul> <p>Remplace « publish » par « provide »</p> <ul style="list-style-type: none"> <li>- ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> </ul> <p>Delete this rule</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| response | <p><i>Accepted</i></p> <p>ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| comment  | <p>751 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #99</a></p> <p>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li>• ADR.OPS.D.015 Management. of aircraft movement on the apron       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION</li> </ul> </li> <li>• ADR.OPS.D.025 Apron management boundaries.</li> <li>• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li>• ADR.OPS.D.035 Management of vehicle movements       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li>o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS</li> </ul> </li> <li>• ADR.OPS.D.045 Management of apron safety</li> <li>• ADR.OPS.D.050 Aircraft stand allocation</li> <li>• ADR.OPS.D.060 Aircraft parking</li> <li>• ADR.OPS.D.065 Aircraft departure</li> <li>• ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.</p> <p>Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).</p> <p>Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.</p> |



Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

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For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).



These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

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oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response *Accepted*

ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

comment 798 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

The aerodrome operator is not in charge of administering and assigning radio frequencies. This provision should therefore be directed towards the competent authority.

response *Accepted*

ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

comment 856 comment by: *Vienna International Airport*

Aerodrome operator is not responsible for assignment of radio telephony frequencies. Should be moved to AR.

response *Accepted*

ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome



operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

comment 906 comment by: *ADP : Aeroports de Paris*  
Cf. ADP comment # 904

response *Accepted*  
ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

comment 926 comment by: *The Civil Aviation Authority*

It have to be defined which frequencies should be published in the Aeronautical Information Publication. Sentence „(...)radio telephony frequencies are assigned to the apron management services unit and published...” is questionable. Taking into account radiotelephony specifications (working in groups, diversity of characteristics among radiotelephony producers) and safety considerations, publishing all frequencies is not justified. Therefore, in the Aeronautical Information Publication should be published only radio frequencies, which are used to conduce communication with flight crew.

response *Noted*  
These are the frequencies used for communication with aircraft.

comment 1009 comment by: *Turin Airport - TRN/LIMF*

The aerodrome operator is not in charge of administering and assigning radio frequencies. This provision should therefore be directed towards the competent authority.

response *Accepted*  
ADR.OPS.D.025 (former ADR OPS.D.030) has been revised to require from the aerodrome operator the provision of the relevant information to the Aeronautical Information Services provider for publication in the Aeronautical Information Publication.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.035 Management of vehicle movements**

p. 25

comment 54 comment by: *Flughafen Berlin Brandenburg GmbH*

AMC1 OPS.B.025 and GM1 ADR.OPS.B.025 already (partly) address driving rules for the apron area. Driving rules and permit schemes of ADR.OPS.D:035 and ADR.OPS.B.025 should be harmonised in order to ensure an integrated approach at each aerodrome.

response *Noted*  
ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on



the movement area, while ADR OPS.D.030 deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements).

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>115 <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p> <p>AMC1 OPS.B.025 and GM1 ADR.OPS.B.025 already (partly) address driving rules for the apron.<br/>Driving rules and permit schemes of ADR.OPS.D.035 and ADR.OPS.B.025 should be harmonised in order to ensure an integrated approach at each aerodrome.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <p><i>Noted</i></p> <p>ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on the movement area, while ADR OPS.D.030 deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <p>179 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p>Attachment <a href="#">#100</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.</p> <p>Références<br/> <input type="checkbox"/> ADR.OPS.D.035 Management of vehicle movements<br/> <input type="checkbox"/> ADR.OPS.D.040 Right of way in the apron<br/> <input type="checkbox"/> ADR.OPS.D.045 Management of apron safety</p> <p>Commentaires<br/> Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aérodromes est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aérodrome les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).<br/> Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).<br/> Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurité sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées. En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.</p> |



De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the French Civil Aviation, takes the aerodrome measures to ensure public order , safety, security and salubrity, including provisions for " accessible parking and aircraft traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ) .

Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1).

These rules from European Aviation Safety Agency gives new responsibilities of the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety)

But the present regulation can't give such power to aerodrome operators for all missions entrusted. Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to the public authorities, are not under AESA competence.

Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation.

The EASA rules for apron management services should be limited to the certification and at apron management oversight.

response

*Noted*

The issue was extensively discussed when preparing Regulation (EU) No 139/2014. Article ADR.OPS.D.001 allows local solutions to be implemented.

comment

228

comment by: *Union des Aéroports français - UAF*

Attachment [#101](#)

Please find Union des Aéroports Français comments

Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

Références



- ADR.OPS.D.015 Management. of aircraft movement on the apron
    - o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION
      - ADR.OPS.D.025 Apron management boundaries.
      - ADR.OPS.D.030 Assignment of radio frequencies to apron management service
      - ADR.OPS.D.035 Management of vehicle movements
    - o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES
      - o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS
        - ADR.OPS.D.045 Management of apron safety
        - ADR.OPS.D.050 Aircraft stand allocation
        - ADR.OPS.D.060 Aircraft parking
        - ADR.OPS.D.065 Aircraft departure
        - ADR.OPS.D.085 Training
- Commentaires
- Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.
- Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).
- Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.
- Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.
- Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.
- L'ADR.OPS.D.025
- Apron management boundaries*
- impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.
- De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.
- Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la



procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the apron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boundaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsibility of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>- ADR.OPS.D.025 Apron management boundaries<br/>Remplace « publish » par « provide »<br/>- ADR.OPS.D.030 Assignment of radio frequencies to apron management service<br/>Delete this rule</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>287 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>AMC1 OPS.B.025 and GM1 ADR.OPS.B.025 already (partly) address driving rules for the apron.<br/>Driving rules and permit schemes of ADR.OPS.D.035 and ADR.OPS.B.025 should be harmonised in order to ensure an integrated approach at each aerodrome.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| response | <p><i>Noted</i></p> <p>ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on the movement area, while ADR OPS.D.030 deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>364 <span style="float: right;">comment by: <i>Aéroports De Lyon</i></span></p> <p><b>ADR.OPS.D.035 Management of vehicle movements</b><br/>The aerodrome operator shall ensure that the movement of vehicles on the apron is safely managed through:<br/>(a) the establishment and implementation of driving rules and the <b>monitoring</b> and <b>enforcement</b> of their application;<br/>(b) establishing vehicle driving routes, as appropriate; and<br/>(c) the establishment and enforcement of vehicle condition requirements.<br/><a href="#">Commentaire</a> : Rôle de l'autorité compétente + la GTA, l'exploitant n'a ni le pouvoir, ni le monopole des formations et des délivrances d'autorisation de conduite qui pourrait permettre de répondre en parti à cette exigence.</p> |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>400 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span></p> <p>AMC1 OPS.B.025 and GM1 ADR.OPS.B.025 already (partly) address driving rules for the apron. Driving rules and permit schemes of ADR.OPS.D.035 and ADR.OPS.B.025 should be harmonised in order to ensure an integrated approach at each aerodrome.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Noted</i></p> <p>ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on the movement area, while ADR OPS.D.030 deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>493 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p><b>ADR.OPS.D.035 Management of vehicle movements</b><br/><b>Level 1 - Fundamental comment</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



See also general comment on Subpart D and ADR.OPS.D.001.  
 ADR.OPS.D.035 should be split into two IRs :

- Strategic level : the AD operator shall ensure high-level rules are established and implemented ;
- Tactical level : the AMS provider, if established, shall manage aircraft movement taking these high-level rules into account. Cf proposal made for new ADR.OPS.E.015.

About high-level rules concerning vehicles on the apron, it has to be noted that these rules may be established and implemented by local authorities upstream to the aerodrome operator. It is the case in France, as the Préfet (local representative of the French State) is responsible for promulgating “arrêtés de police” on each aerodrome, establishing among other things high-level traffic rules on the movement area. These rules include several aspects as for example : speed limits, right of way on the apron, etc. Then, the aerodrome operator takes these rules into account in its own operating rules, which are more detailed. In France, as regards enforcement issue, the aerodrome operator itself can't take enforcement measures, which is a State prerogative. The aerodrome operator monitors the application of the rules and notifies any deviation to the local authorities, which may then take enforcement measures.

#### **ADR.OPS.D.035 Management of vehicle movements**

The aerodrome operator shall ensure that the movement of vehicles on the apron is safely managed through:

- (a) the establishment and implementation of driving rules and the monitoring and enforcement of their application;
- (b) establishing vehicle driving routes, as appropriate; and
- (c) the establishment and enforcement of vehicle condition requirements.

#### **ADR.OPS.E.015 Management of vehicle movements**

When established on the aerodrome, the apron management service provider shall regulate vehicle movement to ensure their safe and expeditious movement on the apron.

#### **AMC1 ADR.OPS.D.035(a) Management of vehicle movements**

##### **APRON DRIVING RULES**

The aerodrome operator should establish, implement and disseminate driving rules for the apron in accordance with requirements established by local or national authorities. The driving rules should include at least the following:

[...]

response

*Accepted*

ADR OPS.D.035 is renumbered as ADR OPS.D.030. The current practice in the vast majority of the aerodromes in Europe is that the management of vehicles movements is ensured by the aerodrome operator, even if a provider of apron management services is established on the aerodrome.

comment

524

comment by: *BAA Airside operations*

ADR.OPS.D.035  
 AMC1 OPS.B.025 and GM1 ADR.OPS.B.025 already (partly) address driving rules for the apron. Driving rules and permit schemes of ADR.OPS.D.035 and ADR.OPS.B.025 should be harmonised in order to ensure an integrated approach at each aerodrome.

response

*Noted*



ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on the movement area, while ADR OPS.D.030 (former ADR OPS.D.035) deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements).

comment 584 comment by: Belgian CAA

Better use:  
"(b) the establishment of service drives, as appropriate;"

response *Not accepted*

The term 'driving routes' is more appropriate and clear to the reader.

comment 585 comment by: Belgian CAA

Better replace "vehicle condition requirements" by "specific vehicle requirements" (marking and lighting,...).

response *Not accepted*

It is preferable to use a more general term in the Implementing Rule. Details are included in AMC1 ADR.OPS.D.030(c).

comment 625 comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD

Attachment [#102](#)

Comment 5

Objet

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Références

- ADR.OPS.D.035 Management of vehicle movements
- ADR.OPS.D.040 Right of way in the apron
- ADR.OPS.D.045 Management of apron safety

Commentaires

Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aérodromes est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aérodrome les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).

Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).

Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la



charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurité sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées. En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.

De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the French Civil Aviation, takes the aerodrome measures to ensure public order, safety, security and salubrity, including provisions for " accessible parking and aircraft traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ).

Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1).

These rules from European Aviation Safety Agency gives new responsibilities of the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety)

But the present regulation can't give such power to aerodrome operators for all missions entrusted. Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to the public authorities, are not under AESA competence.

Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation.

The EASA rules for apron management services should be limited to the certification and at apron management oversight.

response

*Noted*

The issue was extensively discussed when preparing Regulation (EU) No 139/2014. Article ADR.OPS.D.001 allows local solutions to implemented.

comment

649

comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*



Attachment [#103](#)

## Comment 11

## Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

## Références

- 

ADR.OPS.D.015 Management. of aircraft movement on the apron

- o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

- ADR.OPS.D.025 Apron management boundaries.
- ADR.OPS.D.030 Assignment of radio frequencies to apron management service
- ADR.OPS.D.035 Management of vehicle movements

- o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

- o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

- ADR.OPS.D.045 Management of apron safety
- ADR.OPS.D.050 Aircraft stand allocation
- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.065 Aircraft departure
- ADR.OPS.D.085 Training

## Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de



fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boudaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boudaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.</p> <p>Proposal</p> <p>Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).</p> <p>- ADR.OPS.D.025 Apron management boundaries<br/>Remplace « publish » par « provide »</p> <p>- ADR.OPS.D.030 Assignment of radio frequencies to apron management service<br/>Delete this rule</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>680 <span style="float: right;">comment by: ACA - Aéroports de la Côte d'Azur - NCE/LFMN</span></p> <p>Objet</p> <p>Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.</p> <p>Références</p> <ul style="list-style-type: none"> <li>• ADR.OPS.D.035 Management of vehicle movements</li> <li>• ADR.OPS.D.040 Right of way in the apron</li> <li>• ADR.OPS.D.045 Management of apron safety</li> </ul> <p>Commentaires</p> <p>Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aérodromes est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aérodrome les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).</p> <p>Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).</p> <p>Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurité sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées. En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.</p> <p>De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et</p> |



organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

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Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the French Civil Aviation, takes the aerodrome measures to ensure public order , safety, security and salubrity, including provisions for " accessible parking and aircraft traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ) .

Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1).

These rules from European Aviation Safety Agency gives new responsibilities of the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety)

But the present regulation can't give such power to aerodrome operators for all missions entrusted. Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to the public authorities, are not under AESA competence.

Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation.

The EASA rules for apron management services should be limited to the certification and at apron management oversight.

response

*Noted*

The issue was extensively discussed when preparing Regulation (EU) No 139/2014. Article ADR.OPS.D.001 allows local solutions to implemented.

comment

712

comment by: *Pau Pyrénées Airport - PUF/LFBP*

Attachment [#104](#)

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

ADR.AR.C035 (b)(1) et (d) Issuance of certificates

ADR.OPS.D.001 Provision of services



ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable", notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)

- ADR.OR.C.030 Occurrence reporting (c)

- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services

- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)

- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)

- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir qui et selon quelles critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)

- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)

- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de sous traitance.

3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicate that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management onto all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.  
 “when applicable” or “if applicable” are used in several rules especially in the following ones  
 :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS’ TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on which criteria an apron management unit should be implemented  
 2/ Could we have several apron management units on an aerodrome?  
 The ADR.OPS.D005 lists the minimal functions to be included in the apron management service  
 ADR.OPS.D.015 Management of aircraft movement on the apron  
 ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron  
 ADR.OPS.D.035 Management of vehicle movements  
 This writing does not seem to leave the choice; since the service is returned, it “shall” and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).  
 It is contradicted by the ADR.AR.C035 ( b ) (1) and ( d ) which leaves the possibility of having several certificates.  
 3/ We also understand that if an apron management unit exist, it shall deal with a minimum :  
 ADR.OPS.D.015 Management of aircraft movement on the apron  
 ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,  
 ADR.OPS.D.035 Management of vehicle movements.  
 That is to say that other function could be add, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.  
 4/ Proportional measures  
 The necessity of having proportional measures in comparison with the size, to the traffic, to the category and to the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if the ADR.OPS.D001 gives a flexibility as for the application of these rules, but without define criterion for application.

response *Noted*

comment 713 comment by: Pau Pyrénées Airport - PUF/LFBP

[Attachment #105](#)

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Objet  
 Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Références

- ADR.OPS.D.035 Management of vehicle movements
- ADR.OPS.D.040 Right of way in the apron
- ADR.OPS.D.045 Management of apron safety



## Commentaires

Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aérodromes est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aérodrome les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).

Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).

Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurités sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées. En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.

De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

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Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the French Civil Aviation, takes the aerodrome measures to ensure public order , safety, security and salubrity, including provisions for " accessible parking and aircraft traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ) .

Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1).

These rules from European Aviation Safety Agency gives new responsibilities of the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety)

But the present regulation can't give such power to aerodrome operators for all missions entrusted. Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to the public



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|          | <p>authorities, are not under AESA competence.<br/>         Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation.<br/>         The EASA rules for apron management services should be limited to the certification and at apron management oversight.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Noted</i></p> <p>The issue was extensively discussed when preparing Regulation (EU) No 139/2014. Article ADR.OPS.D.001 allows local solutions to implemented.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | <p>752 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #106</a></p> <p>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Objet<br/>         Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li>•</li> <li>ADR.OPS.D.015 Management. of aircraft movement on the apron             <ul style="list-style-type: none"> <li>o</li> <li>AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION                 <ul style="list-style-type: none"> <li>• ADR.OPS.D.025 Apron management boundaries.</li> <li>• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li>• ADR.OPS.D.035 Management of vehicle movements</li> </ul> </li> <li>o</li> <li>AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES                 <ul style="list-style-type: none"> <li>o</li> <li>AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS                     <ul style="list-style-type: none"> <li>• ADR.OPS.D.045 Management of apron safety</li> <li>• ADR.OPS.D.050 Aircraft stand allocation</li> <li>• ADR.OPS.D.060 Aircraft parking</li> <li>• ADR.OPS.D.065 Aircraft departure</li> <li>• ADR.OPS.D.085 Training</li> </ul> </li> </ul> </li> </ul> </li> </ul> <p>Commentaires</p> <p>Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édition de mesures parfois coercitives.<br/>         Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).</p> <p>Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants</p> |



(ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of



services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boudaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

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Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries  
Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service  
Delete this rule

response *Noted*

comment 799 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

AMC1 OPS.B.025 and GM1 ADR.OPS.B.025 already (partly) address driving rules for the apron.

Driving rules and permit schemes of ADR.OPS.D.035 and ADR.OPS.B.025 should be harmonised in order to ensure an integrated approach at each aerodrome.

response *Noted*

ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on the movement area, while ADR OPS.D.030 (former ADR OPS.D.035) deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements).

comment 911 comment by: *Airport Zurich*

**Comment:**

(Relating to GM2 on page 63 of 99) - delete "with a perpendicular crossing".

**Justification:**

The part "provide clear visibility" should be adequate.



|          |                                                                                                                                                                                                                                                                                                                                                 |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <u>Comment by:</u> ZRH/OF                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Accepted</i></p> <p>The text has been revised.</p>                                                                                                                                                                                                                                                                                        |
| comment  | <p>1010 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span></p> <p>AMC1 OPS.B.025 and GM1 ADR.OPS.B.025 already (partly) address driving rules for the apron.<br/>Driving rules and permit schemes of ADR.OPS.D.035 and ADR.OPS.B.025 should be harmonised in order to ensure an integrated approach at each aerodrome.</p> |
| response | <p><i>Noted</i></p> <p>ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on the movement area, while ADR OPS.D.030 (former ADR OPS.D.035) deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements).</p>                       |

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.040 Right of way on the apron**

p. 25

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>55 <span style="float: right;">comment by: Flughafen Berlin Brandenburg GmbH</span></p> <p>The wording might be misleading as the right of way for emergency vehicles responding to an emergency over an aircraft about to move or moving needs prior coordination with the apron management service provider and an explicit clearance. (Especially in cases where the emergency vehicle has to cross one or several taxi lanes and/or is responding to an incident which is not related to flight ops.)<br/>Furthermore, this provision might be contradictory to German LuftVO (§22, section 4)<br/>Amend the text as follows:<br/>(a) An emergency vehicle responding to an emergency shall be given priority<br/>(1) over all other vehicles; and<br/>(2) over aircraft only after having obtained the clearance of the apron management service provider<br/>(b) A vehicle operating on an apron...</p> |
| response | <p><i>Not accepted</i></p> <p>ICAO Annex 14 9.5.5 and Regulation (EU) 923/2012 SERA.3210(d)(3) require that emergency vehicles, when responding to an emergency, shall be afforded priority over all other surface movement traffic.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



comment

180

comment by: *Union des Aéroports français - UAF*Attachment [#107](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Références

•

ADR.OPS.D.035 Management of vehicle movements

• ADR.OPS.D.040 Right of way in the apron

• ADR.OPS.D.045 Management of apron safety

Commentaires

Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aérodromes est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aérodrome les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).

Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA) fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).

Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurité sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées. En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.

De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

.

Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the French Civil Aviation, takes the aerodrome measures to ensure public order , safety, security and salubrity, including provisions for " accessible parking and aircraft



traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ) . Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1). These rules from European Aviation Safety Agency gives new responsibilities of the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety) But the present regulation can't give such power to aerodrome operators for all missions entrusted. Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to the public authorities, are not under AESA competence. Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation. The EASA rules for apron management services should be limited to the certification and at apron management oversight.

response *Not accepted*

Right of way is included in ICAO Annex 14 and Regulation (EU) 923/2012.

comment 484

comment by: UK CAA

**Page No:** 25

**Paragraph No:** ADR.OPS.D.040 Right of way on the apron

**Comment:** The text should be reviewed in the light of the SERA regulation.

**Justification:** To ensure consistency with Commission Regulation (EU) No. 923/2012 SERA.3210(d)(4)(iv).

**Proposed Text:** Replace current text with the following:

“(a) Emergency vehicles proceeding to the assistance of an aircraft in distress shall be afforded priority over all other surface movement traffic.

(b) Subject to the provisions in (a), vehicles on the apron shall be required to comply with the following rules:

(1) vehicles shall give way to aircraft which are taxiing or being towed;

(2) vehicles shall give way to other vehicles towing aircraft;

(3) vehicles shall give way to other vehicles in accordance with the rules established by the aerodrome operator;

(4) notwithstanding the provisions of (1), (2) and (3), vehicles and vehicles towing aircraft shall comply with instructions issued by the aerodrome control tower.”

response *Partially accepted*

The proposal to align the provisions with SERA.3210(d)(4)(iv) is generally accepted, however, it has to be kept in mind that emergency vehicles on the apron might respond to emergencies not only related to aircraft in distress. It has also to be considered that, in point (b)(4), it is not always the aerodrome control tower responsible for the management of the traffic on the apron.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>494 <span style="float: right;">comment by: DGAC France</span></p> <p><b>ADR.OPS.D.040 Right of way on the apron</b><br/> <b>Level 1 - Fundamental comment</b></p> <p>ADR.OPS.D.040 “Right of way on the apron” can be seen as a particular case of ADR.OPS.D.035 (a), as it deals with the establishment of driving rules as regards the specific issue of <i>right of way on the apron</i>.</p> <p>As regards these driving rules, ADR.OPS.D.035 requires the aerodrome operator to <b>ensure that</b> they are suitably established and implemented. This writing allows flexibility in case rules are established by other entities as the aerodrome operator, for example local authorities as it is the case in France with local regulations called “arrêtés de police” (see comment on ADR.OPS.D.035).</p> <p>The same flexibility should be reflected in ADR.OPS.D.040 (b)(3), which should be amended as follows :</p> <p><b>ADR.OPS.D.040 Right of way on the apron</b><br/> [...]<br/> (b)(3) other vehicles in accordance with the rules established by the <b>local regulations aerodrome operator</b>.</p> |
| response | <p><i>Accepted</i></p> <p>The text has been revised as follows:</p> <p>‘The aerodrome operator shall ensure that rules concerning the right of way on the apron are established, disseminated and implemented. The rules shall require that:...’</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | <p>551 <span style="float: right;">comment by: CAA Austria - Ministry of Transport</span></p> <p>(b) should be change to.... (1) aircraft moving, (2) emergency vehicles responding to an emergency, (3) aircraft about to move, (4) others</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <p><i>Not accepted</i></p> <p>The provisions are in line with ICAO Annex 14 9.5.5 and Regulation (EU) 923/2012 SERA.3210(d)(4)(iv).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <p>576 <span style="float: right;">comment by: ANACNA</span></p> <p><b><u>Rationale for change:</u></b><br/> “ADR.OPS.D.040 should be amended to incorporate provision of EU Regulation 923/12 SERA.3210 c) 2. about the right-of-way as follows:<br/> <b>ADR.OPS.D.040 Right of way on the apron</b><br/> (a) An emergency vehicle responding to an emergency shall be given priority over all other surface movement traffic;<br/> (b) A vehicle operating on an apron shall give way to:<br/> 1. an emergency vehicle responding to an emergency;<br/> 2. an aircraft about to move or moving; and<br/> 3. other vehicles in accordance with the rules established by the aerodrome operator.<br/> (c) When two aircraft are taxiing along converging paths, the aircraft that has the other on its right shall give way.</p>                                                                                                                                                                                                                                                                                             |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



comment

626

comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD

Attachment [#108](#)

Comment 5

Objet

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Références

•

ADR.OPS.D.035 Management of vehicle movements

• ADR.OPS.D.040 Right of way in the apron

• ADR.OPS.D.045 Management of apron safety

Commentaires

Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aérodromes est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aérodrome les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).

Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).

Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurité sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées. En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.

De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

.

Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the French Civil Aviation, takes the aerodrome measures to ensure public



order , safety, security and salubrity, including provisions for " accessible parking and aircraft traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ) .  
 Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1).  
 These rules from European Aviation Safety Agency gives new responsibilities of the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety)  
 But the present regulation can't give such power to aerodrome operators for all missions entrusted. Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to the public authorities, are not under AESA competence.  
 Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation.  
 The EASA rules for apron management services should be limited to the certification and at apron management oversight.

response *Not accepted*

Right of way is included in ICAO Annex 14 and Regulation (EU) 923/2012.

comment

714

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#109](#)

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Objet

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Références

- ADR.OPS.D.035 Management of vehicle movements
- ADR.OPS.D.040 Right of way in the apron
- ADR.OPS.D.045 Management of apron safety

Commentaires

Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aéroports est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aéroport les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-



4 du code de l'aviation civile).

Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).

Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurité sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées. En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.

De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

.

Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the French Civil Aviation, takes the aerodrome measures to ensure public order , safety, security and salubrity, including provisions for " accessible parking and aircraft traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ) .

Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1).

These rules from European Aviation Safety Agency gives new responsibilities of the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety)

But the present regulation can't give such power to aerodrome operators for all missions entrusted. Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to the public authorities, are not under AESA competence.

Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation.

The EASA rules for apron management services should be limited to the certification and at apron management oversight.

response *Not accepted*



Right of way is included in ICAO Annex 14 and Regulation (EU) 923/2012.

comment

734

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#110](#)

### Répartition des missions, responsabilités et principe de sécurité juridique

#### Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

#### Références

- ADR.OR.D.018 Training and proficiency check programs - providers of apron management services
  - o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs
- ADR.OR.D.032 Safety reporting system - providers of apron management services
- ADR.OPS.D.001 Provision of services
  - o GM1 ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services
- ADR.OPS.D.060 Aircraft parking
  - o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

#### Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of



services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aéroports de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the



regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the is performance by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while l'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safetyrequires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

"The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another



entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

comment 899 comment by: ADP : Aeroports de Paris

Cf. ADP comment # 897

response *Noted*

Please refer to the replies in the relevant sections.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.045 Management of apron safety**

p. 25

comment 181 comment by: Union des Aéroports français - UAF

Attachment [#111](#)

Please find attached Union des Aéroports Français (UAF) comments

**Objet**

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

**Références**

- ADR.OPS.D.035 Management of vehicle movements
- ADR.OPS.D.040 Right of way in the apron
- ADR.OPS.D.045 Management of apron safety

**Commentaires**

Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aéroports est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aéroport les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des



aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).

Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).

Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurités sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées. En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.

De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the French Civil Aviation, takes the aerodrome measures to ensure public order , safety, security and salubrity, including provisions for " accessible parking and aircraft traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ) .

Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1).

These rules from European Aviation Safety Agency gives new responsibilities of the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety)

But the present regulation can't give such power to aerodrome operators for all missions entrusted. Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to the public authorities, are not under AESA competence.

Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | The EASA rules for apron management services should be limited to the certification and at apron management oversight.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <p><i>Noted</i></p> <p>Please refer to ADR.OPS.D.001.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>229 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p>Attachment <a href="#">#112</a></p> <p>Please find Union des Aéroports Français comments</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li>• ADR.OPS.D.015 Management. of aircraft movement on the apron</li> <li>o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION</li> <li>• ADR.OPS.D.025 Apron management boundaries.</li> <li>• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li>• ADR.OPS.D.035 Management of vehicle movements</li> <li>o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li>o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS</li> <li>• ADR.OPS.D.045 Management of apron safety</li> <li>• ADR.OPS.D.050 Aircraft stand allocation</li> <li>• ADR.OPS.D.060 Aircraft parking</li> <li>• ADR.OPS.D.065 Aircraft departure</li> <li>• ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives. Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).</p> <p>Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.</p> <p>Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.</p> <p>Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de</p> |



coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boudaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information



publication is under responsibility of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Noted*

Please refer to ADR.OPS.D.001.

comment

365

comment by: *Aéroports De Lyon*

**ADR.OPS.D.045 Management of apron safety**

The aerodrome operator shall ensure that apron safety rules are established, disseminated and implemented and that apron discipline is monitored.

[Commentaire : Rôle de la GTA.](#)

response

*Noted*

Please refer to ADR.OPS.D.001.

comment

485

comment by: *UK CAA*

**Page No: 25**

**Paragraph No: ADR.OPS.D.045 Management of apron safety**

**Comment:** This paragraph would be more appropriately placed as ADR.OPS.D.015, with current ADR.OPS.D.015 moved to ADR.OPS.D.040 and renumbered accordingly. Supporting AMC and GM would also need to be renumbered.

**Justification:** To provide a more logical running order.

response

*Noted*

comment

586

comment by: *Belgian CAA*

Better say:

<...> are established, disseminated, implemented, monitored and enforced."

response

*Accepted*



It is more reasonable to say that apron safety rules shall be established, disseminated and implemented and that apron discipline is monitored and action is taken, as appropriate.

|          |                                 |                                                                    |
|----------|---------------------------------|--------------------------------------------------------------------|
| comment  | 627                             | comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i> |
|          | Attachment <a href="#">#113</a> |                                                                    |
|          | Comment 5                       |                                                                    |
| response | <i>Noted</i>                    |                                                                    |
|          | Please refer to ADR.OPS.D.001.  |                                                                    |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                    |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| comment | 650                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i> |
|         | Attachment <a href="#">#114</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                    |
|         | Comment 11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                    |
|         | Objet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                    |
|         | Rôle de coordination dévolu à l'exploitant d'aérodrome                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                    |
|         | Références                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                    |
|         | <ul style="list-style-type: none"> <li>• ADR.OPS.D.015 Management. of aircraft movement on the apron</li> <li>o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION <ul style="list-style-type: none"> <li>• ADR.OPS.D.025 Apron management boundaries.</li> <li>• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li>• ADR.OPS.D.035 Management of vehicle movements</li> </ul> </li> <li>o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li>o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS <ul style="list-style-type: none"> <li>• ADR.OPS.D.045 Management of apron safety</li> <li>• ADR.OPS.D.050 Aircraft stand allocation</li> <li>• ADR.OPS.D.060 Aircraft parking</li> <li>• ADR.OPS.D.065 Aircraft departure</li> <li>• ADR.OPS.D.085 Training</li> </ul> </li> </ul> |                                                                    |
|         | Commentaires                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                    |
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Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

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Propositions

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- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

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ADR.OPS.D.025

*Apron management boudaries*

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Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Noted*

Please refer to ADR.OPS.D.001.

comment

715

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#115](#)

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Objet

Le projet de règlement modifie l'organisation des États membres en particulier en ce qui concerne les pouvoirs de police.

Références

•

ADR.OPS.D.035 Management of vehicle movements

• ADR.OPS.D.040 Right of way in the apron

• ADR.OPS.D.045 Management of apron safety

Commentaires

Le projet de règlement porte atteinte à l'organisation des États membres. En France, par exemple, la fonction de police des aérodromes est assurée par le préfet, qui en application de l'article R. 213-3 du code de l'aviation civile, prend pour l'aérodrome les mesures permettant d'assurer le bon ordre, la sûreté, la sécurité et la salubrité, notamment les dispositions relatives aux "zones accessibles au stationnement et à la circulation des



aéronefs ; les dispositions applicables sur les aires de stationnement des aéronefs, en plus de celles qui sont édictées par la réglementation sur la circulation aérienne ; les dispositions applicables à la conduite et à la circulation et au stationnement des véhicules" (art. R. 213-1-4 du code de l'aviation civile).

Le non-respect de ces dispositions, constaté par les agents de la police de l'aire et des frontières (PAF) ou de la gendarmerie du transport aérien (GTA fait l'objet de sanctions administratives (amendes) (art. R.217-2-1 et R. 217-2 du code de l'aviation civile).

Le projet de textes de l'Agence européenne de la sécurité aérienne, objet de la NPA, met à la charge de l'exploitant d'aérodrome des mesures relevant clairement des mesures de police (établissement des règles en matière de circulation des véhicules et mesures coercitives - ADR.OPS.D.035 et ADR.OPS.D.040/règles de sécurités sur les aires de trafic - ADR.OPS.D.045). Or, le présent règlement ne peut pas conférer de tels pouvoirs à l'exploitant pour l'ensemble des missions qui lui sont confiées. En effet, la répartition des missions qui répond parfois à des exigences constitutionnelles comme c'est le cas lorsqu'elles sont attribuées aux autorités publiques, échappe en grande partie aux compétences de l'AESA.

De plus, certaines dispositions portant sur les missions de l'exploitant d'aérodrome ne tiennent pas compte des principes de subsidiarité et de proportionnalité. La sécurité du trafic aérien doit être assurée sans bouleverser la répartition actuelle des compétences au sein de chacun des États. Chaque État doit conserver la possibilité de désigner les autorités et organismes en charge des missions visées par le règlement, Les règles de l'AESA devraient se limiter à la certification et aux modalités de contrôle des prestataires gestionnaire d'aire de trafic.

Courtesy translation

Police power on aerodrome

Comments

The project of regulation strikes a blow at the organization of Member states In France, for example aerodrome police is provided by the prefect, who in application to Article R. 213-3 of the Code of the French Civil Aviation, takes the aerodrome measures to ensure public order , safety, security and salubrity, including provisions for " accessible parking and aircraft traffic areas, the provisions applicable in the parking of aircraft, in addition to those laid down by the air traffic regulation and the provisions applicable for driving and to circulation on traffic and parking of vehicles " (Article R. 213-1-4 of the French Civil Aviation Code ) .

Noncompliance with these rules, noticed by police authority (PAF: Police de l'Air et des Frontières) or (GTA:Gendarmerie du transport Aérien) are subjected to administrative penalties regarding French article for Civil Aviation Code (Art. R.217 -2-1).

These rules from European Aviation Safety Agency gives new responsibilities of the aerodrome operator which are clearly under police side (ADR.OPS.D.035 Management of vehicle movements, ADR.OPS.D.040 Right of way in the apron or ADR.OPS.D.045 Management of apron safety)

But the present regulation can't give such power to aerodrome operators for all missions entrusted. Indeed, the distribution of the missions which sometimes answers to constitutional requirements as it is the case when they are attributed to the public authorities, are not under AESA competence.

Furthermore, certain measures concerning missions of the aerodrome operator do not take into account principles of subsidiarity and proportionality. Air transportation safety must be insured without upsetting the current distribution of the competence within each States. Every State should preserve the possibility of appointing authorities and organizations in charge of the missions aimed by the regulation.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | The EASA rules for apron management services should be limited to the certification and at apron management oversight.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <p><i>Noted</i></p> <p>Please refer to ADR.OPS.D.001.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>753 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #116</a></p> <p>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li>• ADR.OPS.D.015 Management. of aircraft movement on the apron</li> <li>o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION</li> <li>• ADR.OPS.D.025 Apron management boundaries.</li> <li>• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li>• ADR.OPS.D.035 Management of vehicle movements</li> <li>o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li>o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS</li> <li>• ADR.OPS.D.045 Management of apron safety</li> <li>• ADR.OPS.D.050 Aircraft stand allocation</li> <li>• ADR.OPS.D.060 Aircraft parking</li> <li>• ADR.OPS.D.065 Aircraft departure</li> <li>• ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.</p> <p>Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).</p> <p>Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.</p> <p>Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.</p> <p>Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de</p> |



coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boundaries*

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publication is under responsibility of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

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Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response *Noted*

Please refer to ADR.OPS.D.001.

comment 912

comment by: *Airport Zurich*

**Comment:**

(Relating to GM2 on page 64 of 99) - add "excluding dispenser vehicles"

**Justification:**

An exit path for dispenser vehicles doesn't mitigate the risk. The pipeline (not the vehicles itself) is the hazard basically. This needs to be mitigate (e.g. by the installation of fuel stop buttons on apron level).

Comment by: ZRH/OF

response *Accepted*

The text has been revised.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.050 Aircraft stand allocation**

p. 26



comment

232

comment by: *Union des Aéroports français - UAF*Attachment [#117](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

•

ADR.OPS.D.015 Management. of aircraft movement on the apron

o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

• ADR.OPS.D.025 Apron management boundaries.

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AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

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Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

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L'ADR.OPS.D.025

*Apron management boundaries*

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Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boudaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

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ADR.OPS.D.025

*Apron management boudaries*

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| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <p>297 <span style="float: right;">comment by: <i>European Transport Workers Federation - ETF</i></span></p> <p>The allocated aircraft stand shall also be communicated, among others, to the apron management service providers and/or the ATS unit even though these people are not directly responsible of the safe manoeuvring of the aircraft.</p>                                                                                                                                                                                                                                                                                           |
| response | <p><i>Accepted</i></p> <p>A new point (b) has been included in ADR OPS.D.045 (former ADR OPS.D.050) as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| comment  | <p>560 <span style="float: right;">comment by: <i>Finavia</i></span></p> <p>Comment: (a) Can an aerodrome operator control all modification made to individual aircraft using stands at its airport? Should the provision rather refer to "aircraft types" than "aircraft".</p> <p>Proposed action: Replace "suitable for the aircraft intended to use it" with "suitable for the aircraft type intended to use it".</p>                                                                                                                                                                                                                          |
| response | <p><i>Accepted</i></p> <p>Point (a) has been amended as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>651 <span style="float: right;">comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></span></p> <p>Attachment <a href="#">#118</a></p> <p>Comment 11</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li>• ADR.OPS.D.015 Management. of aircraft movement on the apron</li> <li>o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION</li> <li>• ADR.OPS.D.025 Apron management boundaries.</li> <li>• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> </ul>                   |



- ADR.OPS.D.035 Management of vehicle movements

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L'ADR.OPS.D.025

*Apron management boundaries*

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Propositions

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- ADR.OPS.D.025 Apron management boundaries



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*Apron management boudaries*  
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 Proposal  
 Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).  
 - ADR.OPS.D.025 Apron management boundaries  
 Remplace « publish » par « provide »  
 - ADR.OPS.D.030 Assignment of radio frequencies to apron management service  
 Delete this rule

response *Noted*



|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| comment | <p data-bbox="359 235 1498 280">653 comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></p> <p data-bbox="359 291 1498 324">Attachment <a href="#">#119</a></p> <p data-bbox="359 347 1498 380">Comment 11</p> <p data-bbox="359 414 1498 448">Objet</p> <p data-bbox="359 459 1498 492">Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p data-bbox="359 504 1498 537">Références</p> <ul style="list-style-type: none"> <li data-bbox="359 548 1498 582">•</li> <li data-bbox="359 593 1498 627">ADR.OPS.D.015 Management. of aircraft movement on the apron</li> <li data-bbox="359 638 1498 672">o</li> <li data-bbox="359 683 1498 716">AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION</li> <li data-bbox="359 728 1498 761">• ADR.OPS.D.025 Apron management boundaries.</li> <li data-bbox="359 772 1498 806">• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li data-bbox="359 817 1498 851">• ADR.OPS.D.035 Management of vehicle movements</li> <li data-bbox="359 862 1498 896">o</li> <li data-bbox="359 907 1498 940">AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li data-bbox="359 952 1498 985">o</li> <li data-bbox="359 996 1498 1030">AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS</li> <li data-bbox="359 1041 1498 1075">• ADR.OPS.D.045 Management of apron safety</li> <li data-bbox="359 1086 1498 1120">• ADR.OPS.D.050 Aircraft stand allocation</li> <li data-bbox="359 1131 1498 1164">• ADR.OPS.D.060 Aircraft parking</li> <li data-bbox="359 1176 1498 1209">• ADR.OPS.D.065 Aircraft departure</li> <li data-bbox="359 1220 1498 1254">• ADR.OPS.D.085 Training</li> </ul> <p data-bbox="359 1265 1498 1299">Commentaires</p> <p data-bbox="359 1310 1498 1344">Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.</p> <p data-bbox="359 1355 1498 1388">Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).</p> <p data-bbox="359 1400 1498 1433">Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.</p> <p data-bbox="359 1444 1498 1478">Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.</p> <p data-bbox="359 1489 1498 1523">Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.</p> <p data-bbox="359 1534 1498 1568">L'ADR.OPS.D.025</p> <p data-bbox="359 1579 1498 1612"><i>Apron management boundaries</i></p> <p data-bbox="359 1624 1498 1657">impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.</p> <p data-bbox="359 1668 1498 1702">De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service,</p> |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boudaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boudaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency



of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

#### Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response *Noted*

comment

755

comment by: *Pau Pyrénées Airport - PUF/LFBP*

Attachment [#120](#)

Rôle de coordination dévolu à l'exploitant d'aérodrome

#### Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

#### Références

•

ADR.OPS.D.015 Management. of aircraft movement on the apron

o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

• ADR.OPS.D.025 Apron management boundaries.

• ADR.OPS.D.030 Assignment of radio frequencies to apron management service

• ADR.OPS.D.035 Management of vehicle movements

o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

• ADR.OPS.D.045 Management of apron safety

• ADR.OPS.D.050 Aircraft stand allocation

• ADR.OPS.D.060 Aircraft parking

• ADR.OPS.D.065 Aircraft departure

• ADR.OPS.D.085 Training

#### Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).



Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of



the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boudaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Noted*

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.055 Marshalling of aircraft**

p. 26

comment

496

comment by: DGAC France

**ADR.OPS.D.055 Marshalling of aircraft**

**Level 1 - Fundamental comment**

See also comment on ADR.OPS.D.085.

a) Commission Implementing Regulation (EU) n° 923/2012 already regulates the way marshalling shall be provided. It is of little interest to duplicate these provisions in EU-ADR. It may even be confusing, as marshalling is a ground handling service and not a service provided by the aerodrome operator (as indicated by Council directive 96/67/EC of 15 october 1996 on ground handling). Therefore, IR-ADR provisions related to marshalling should apply to ground handlers : aerodrome operators should not be held responsible for it. Maintaining ADR.OPS.D.055 in IR-ADR is acceptable only under the condition that marshalling is clearly excluded from the scope of the aerodrome operator's certificate (see ADR.AR.C.035).

b) Moreover, it is not clear whether marshalling services are in the scope of "Apron



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | management service” as defined by ICAO Annex 14, since the NPA gives no definition of the means that can be used to provide AMS. If marshalling is in the scope of AMS, the corresponding provisions should be moved in new Subpart E applying to AMS provider.                                                                                                                                                                                                                                                                                   |
| response | <p><i>Noted</i></p> <p>The proposed rule describes <b>how</b> marshalling of aircraft should be done and <b>not by whom</b>. In addition to this, marshalling is not generally considered as falling under the responsibility of apron management. Of course, it can be included, but this is a decision that has to be taken at local level.</p> <p>The Agency considers important to include the reference to Regulation (EU) 923/2012, since it directs the organisations responsible for providing marshalling to the related provisions.</p> |
| comment  | <p>557 <span style="float: right;">comment by: <i>CAA Austria - Ministry of Transport</i></span></p> <p>Clarification is needed under which circumstances marshalling "shall" be provided. On aerodromes marshalling to aircraft stand will be only on request.</p>                                                                                                                                                                                                                                                                               |
| response | <p><i>Noted</i></p> <p>The purpose of the Implementing Rule is to establish <b>how</b> marshalling shall be performed. The circumstances under which marshalling will be provided depends on the local conditions, therefore, it is very difficult to prescribe the details. From the safety point of view, the most important to consider is that marshalling, when provided, is done using a standardised manner.</p>                                                                                                                           |
| comment  | <p>842 <span style="float: right;">comment by: <i>Vienna International Airport</i></span></p> <p>Under which circumstances "shall" marshalling be provided? We provide marshalling only on pilots request as many other European airports do. Clarification is needed.</p>                                                                                                                                                                                                                                                                        |
| response | <p><i>Noted</i></p> <p>The purpose of the Implementing Rule is to establish <b>how</b> marshalling shall be performed. The circumstances under which marshalling will be provided depends on the local conditions, therefore, it is very difficult to prescribe the details. From the safety point of view, the most important to consider is that marshalling, when provided, is done using a standardised manner.</p>                                                                                                                           |
| comment  | <p>936 <span style="float: right;">comment by: <i>Polish Regional Airports Association</i></span></p> <p>We would recommend to put here clear statement that for marshaller-follow me operator hand signalling is equivalent to verbal communication.</p>                                                                                                                                                                                                                                                                                         |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>981 <span style="float: right;">comment by: <i>FNAM</i></span></p> <p>On all new missions planned with the apron management rules, some of them are ground handling activities in the sense of the Council Directive 96/67/UE of 15 October 1996.</p>                                                                                                                                                                                                                                                                                          |



This Directive calls ground handling all ramp services including guidance of the aircraft arrival and departure. In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs).

The implementing rules proposed by EASA must respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

response *Noted*

The purpose of the Implementing Rule is to establish **how** marshalling shall be performed. The circumstances under which marshalling will be provided depends on the local conditions, therefore, it is very difficult to prescribe the details. From the safety point of view, the most important to consider is that marshalling, when provided, is done using a standardised manner.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.060 Aircraft parking**

p. 26

comment 56 comment by: Flughafen Berlin Brandenburg GmbH

Add "establish procedures that" between "shall" and "ensure" as, for example, ADR.OPS.D.060 (a) clearly is a responsibility of the flight crew.

response *Accepted*

The text has been revised as proposed.

comment 116 comment by: ADV - German Airports Association

Add "establish procedures that" between "shall" and "ensure" as, for example, ADR.OPS.D.060 (a) clearly is a responsibility of the flight crew.

response *Accepted*

The text has been revised as proposed.

comment 175 comment by: Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre

A cross-reference to the applicable "clearance distances" CSs would be helpful.

Paragraph (a) should be rephrased to read:

"...to make the maintaining of clearance distances by the flight crew or the pushback-vehicle operator possible"

as the steering of the airplane is not the responsibility of the aerodrome operator

response *Not accepted*



ADR OPS.D.055 (former ADR OPS.D.060) has been amended requiring from the aerodrome operator to establish the relevant procedures for the safe parking of aircraft. The proposed change to point (a) is not supported since during the parking manoeuvre, apart from the responsibility of the flight crew, ground personnel shall observe clearance distances and inform flight crew when they are not maintained.

comment

182

comment by: *Union des Aéroports français - UAF*Attachment [#121](#)

Please find attached Union des Aéroports Français (UAF) comments

## Objet

Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.

## Références

- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.085 Training
- ADR.OPS.D.065(a) Aircraft departure
  - o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)
- Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté

## Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )  
Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre



(AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

Courtesy translation

Links between apron management services and regulations concerning ground handling

Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))

- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )

- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))

- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

response

*Noted*

The aerodrome operator is responsible for the safe operation of the aerodrome, including the apron.

comment

233

comment by: *Union des Aéroports français - UAF*

Attachment [#122](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

•

ADR.OPS.D.015 Management. of aircraft movement on the apron

o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

• ADR.OPS.D.025 Apron management boundaries.

• ADR.OPS.D.030 Assignment of radio frequencies to apron management service

• ADR.OPS.D.035 Management of vehicle movements



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| <p>o<br/>AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</p> <p>o<br/>AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS</p> <ul style="list-style-type: none"> <li>• ADR.OPS.D.045 Management of apron safety</li> <li>• ADR.OPS.D.050 Aircraft stand allocation</li> <li>• ADR.OPS.D.060 Aircraft parking</li> <li>• ADR.OPS.D.065 Aircraft departure</li> <li>• ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.</p> <p>Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).</p> <p>Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.</p> <p>Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.</p> <p>Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.</p> <p>L'ADR.OPS.D.025</p> <p><i>Apron management boundaries</i></p> <p>impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.</p> <p>De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.</p> <p>Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).</p> <p>Propositions</p> <p>Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).</p> <p>- ADR.OPS.D.025 Apron management boundaries</p> <p>Remplacer « publish » par « provide »</p> |
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- ADR.OPS.D.030 Assignment of radio frequencies to apron management service  
 Supprimer l'IR  
 Courtesy translation  
 Coordination  
 Comments  
 Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).  
 The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.  
 For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.  
 But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.  
 THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).  
 These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).  
 ADR.OPS.D.025  
*Apron management boudaries*  
 oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.  
 Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.  
 Proposal  
 Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries  
 Remplace « publish » par « provide »  
 - ADR.OPS.D.030 Assignment of radio frequencies to apron management service  
 Delete this rule

response *Noted*



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                |
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| comment  | 336                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>Aena</i>                                        |
|          | It should be specified in (b) that it shall be done "using any acceptable means". That should avoid confusion related to the need of having parking guidance systems.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                |
|          | Point (b) is a high-level requirement. Means to comply are included in the relevant AMC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                |
| comment  | 370                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>Aéroports De Lyon</i>                           |
|          | <p><b>ADR.OPS.D.060 Aircraft parking</b></p> <p>The aerodrome operator shall ensure that:</p> <p>(a) an area designated for aircraft parking on an apron is monitored to ensure that <b>the clearance distances are maintained during the parking manoeuvre</b>;</p> <p>(b) <b>guidance is provided</b> to enable the aircraft to safely park; and</p> <p>(c) an area designated for aircraft parking on an apron is <b>clear of any Foreign Object Debris (FOD)</b> that may have an impact on safety.</p> <p><u>Commentaire</u> : Chaque assistant est responsable du respect des distances de sécurité + de l'absence de FOD ou obstacles lors des manoeuvres. Pourquoi cet article ne figure-t-il pas dans la réglementation applicable aux assistants ? (Cet article implique une responsabilité élevée de l'exploitant alors qu'en réalité, c'est à l'assistant que revient cette responsabilité : problématique en cas d'incident)</p> <p>(b) Sur les petites plateformes, les avions ne sont pas forcément placés par un agent d'assistance en escale (ex : aéroclub), l'assistance n'étant pas obligatoire.</p> |                                                                |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                |
| comment  | 402                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | Add "establish procedures that" between "shall" and "ensure" as, for example, ADR.OPS.D.060 (a) clearly is a responsibility of the flight crew.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                |
|          | The text has been revised as proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                |
| comment  | 426                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>Aéroports De Lyon</i>                           |
|          | Add "establish procedures that" between "shall" and "ensure" as, for example, ADR.OPS.D.060 (a) clearly is a responsibility of the flight crew.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                |
|          | The text has been revised as proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                |
| comment  | 499                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>DGAC France</i>                                 |
|          | <p><b>ADR.OPS.D.060 Aircraft parking</b></p> <p><b>Level 1 - Fundamental comment</b></p> <p>The wording of ADR.OPS.D.060 and its associated AMCs (with the verb "ensure") is ambiguous, as it suggests that the aerodrome operator is in charge of monitoring every</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                |



parking manoeuvre, which is not realistic nor advisable. Marshalling, use of visual docking systems (which are indeed provided by the aerodrome operator), monitoring of clearance distances are achieved by the airline or its ground handler. The airline or ground handler shall take into account operating instructions which have been established upstream by the aerodrome operator. These instructions may relate to aircraft docking procedures (including how to use the visual systems, or in which cases marshalling is mandatory), push back schemes, etc. The aerodrome operator should make random inspections to verify that these rules are implemented by airlines or ground handlers, however this doesn't imply a systematic monitoring by the aerodrome operator.

It is therefore proposed to modify ADR.OPS.D.060 and its associated AMCs as follows, and to introduce a GM indicating that the airline or its ground handler is in charge of achieving the parking manoeuvre, in accordance with the rules established by the aerodrome operator.

#### **ADR.OPS.D.060 Aircraft parking**

The aerodrome operator shall establish rules on ensure that:

- (a) ~~an area designated for aircraft parking on an apron is monitored to ensure that the~~ monitoring of clearance distances ~~are maintained~~ during the parking manoeuvre;
- (b) ~~the provision of guidance is provided~~ to enable the aircraft to safely park; and
- (c) ~~the monitoring, on an area designated for aircraft parking on an apron, is clear~~ of any Foreign Object Debris (FOD) that may have an impact on safety.

#### **GM1 ADR.OPS.D.060 Aircraft parking**

The parking operation is achieved by airline personnel or its ground handler's. However, the assigned personnel should comply with the operating rules established by the aerodrome operator on the apron.

#### **AMC1 ADR.OPS.D.060(a) Aircraft parking**

##### MONITORING OF AIRCRAFT STAND — VISUAL

The aerodrome operator shall establish rules on :

- (a) ~~The aerodrome operator should ensure that the monitoring of aircraft, during its arrival of an aircraft to a stand, the aircraft is monitored~~ either by assigned personnel on the stand or through cameras in order to verify that clearance distances are maintained.
- (b) ~~The aerodrome operator should ensure that when the recommended clearance distances are not maintained, warning is given to stop the aircraft movement and/or to provide further assistance, when the recommended clearance distances are not maintained.~~
- (c) ~~The aerodrome operator should ensure that no person~~ The prohibition of approaches approaching the aircraft, unless anti-collision lights are turned off and engines are switched off.

#### **AMC1 ADR.OPS.D.060(b) Aircraft parking**

##### AIRCRAFT GUIDANCE DURING PARKING MANOEUVRE

The aerodrome operator should establish rules on availability and terms of use of ensure that suitable parking aids, such as:

- (a) a visual or an advanced visual docking guidance system; or
  - (b) (a) marshaller(s); or
  - (c) a self-guidance system;
- ~~are available and operational.~~

#### **AMC2 ADR.OPS.D.060(b) Aircraft parking**

##### OPERATION OF VISUAL AND ADVANCED VISUAL DOCKING GUIDANCE SYSTEM

The aerodrome operator should establish rules ensure that:

- (a) requiring that the docking guidance system is only activated when the stand is considered safe for use by the arriving aircraft and the involved personnel in charge of parking operations ;
- (b) requiring that the docking guidance system is activated prior to aircraft arrival on the



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|          | <p>stand;</p> <p><del>(c) the docking guidance system is set to the type of aircraft intended to use the stand; and</del></p> <p><del>(d) (c) mentioning</del> emergency procedures are in place to inform the flight crew when parking procedure has to be discontinued.</p> <p>The aerodrome operator should ensure that the docking guidance system is set to the type of aircraft intended to use the stand.</p> <p><b>AMC3 ADR.OPS.D.060(b) Aircraft parking</b></p> <p><b>MARSHALLING SERVICE</b></p> <p>The aerodrome operator should establish rules :</p> <p>(a) <del>The aerodrome operator should ensure that</del> requiring that a marshalling service is provided where visual or advanced visual docking guidance systems and self-guidance systems do not exist or are unserviceable, or where guidance to aircraft parking is required to avoid a safety hazard;</p> <p>(b) <del>The aerodrome operator should ensure that, and,</del> where marshalling service is provided, comprehensive instructions are written for marshallers including:</p> <p>(1) <del>the need to ensure</del> requiring that prior to using the authorised signals, the marshaller should ascertain that the area within which the aircraft will be guided, is clear of obstacles which the aircraft, in complying with his signals, might otherwise strike;</p> <p>(2) mentioning the circumstances in which (a) marshaller(s) may be used and the occasions when wing walkers are necessary; and</p> <p>(3) mentioning the action to be taken in the event of an emergency or incident involving an aircraft and/or vehicle during marshalling;</p> |
| response | <p><i>Accepted</i></p> <p>Concerning the Implementing Rule, the responsibilities of the aerodrome operator have been amended to require the establishment of the relevant procedures.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | <p>525 <span style="float: right;">comment by: BAA Airside operations</span></p> <p>ADR.Ops.D.060 and 065 are not ADR OPR responsibilities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Partially accepted</i></p> <p>The aerodrome operator is responsible for the operation of the aerodrome, including apron. Although some functions on the apron are performed by other organisations, the responsibility remains with the aerodrome operator. However, in order to have a more reasonable approach, the responsibility of the aerodrome operator has been amended to require the establishment of the relevant procedures.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>528 <span style="float: right;">comment by: BAA Airside operations</span></p> <p>OPS.D.060 (a) monitoring areas for clearance distances is a task of the ground handler involved in the manoeuvre.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Partially accepted</i></p> <p>The aerodrome operator is responsible for the operation of the aerodrome, including apron. Although some functions on the apron are performed by other organisations, the responsibility remains with the aerodrome operator. However, in order to have a more reasonable approach, the responsibility of the aerodrome operator has been amended to require the establishment of the relevant procedures.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



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| comment  | 529                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>BAA Airside operations</i>                          |
|          | OPS.D.060 (c) is a task for the ground handler.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                    |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                    |
|          | The aerodrome operator is responsible for the operation of the aerodrome, including apron. Although some functions on the apron are performed by other organisations, the responsibility remains with the aerodrome operator. However, in order to have a more reasonable approach, the responsibility of the aerodrome operator has been amended to require the establishment of the relevant procedures.                                                                                                                                                                                                                                                                   |                                                                    |
| comment  | 561                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Finavia</i>                                         |
|          | Comment: (c) It is impossible for aerodrome operator to ensure the nonexistence of any FOD within the area designated for aircraft parking. The requirement should be changed so, that the aerodrome operator is responsible to ensure that there are provisions in place to avoid the existence of FOD within the area designated for aircraft parking.<br>Proposed action: New text: c) procedures are established and there are provisions in place to avoid the existence of FOD within the area designated for aircraft parking.                                                                                                                                        |                                                                    |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                    |
|          | The responsibilities of the aerodrome operator have been amended to require the establishment of the relevant procedures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                    |
| comment  | 587                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Belgian CAA</i>                                     |
|          | "park safely" iso "safely park"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                    |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                    |
|          | The text has been revised as proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                    |
| comment  | 628                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i> |
|          | Attachment <a href="#">#123</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                    |
|          | Comment 6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                    |
|          | Objet<br>Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.<br>Références<br><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking<br><input type="checkbox"/> ADR.OPS.D.085 Training<br><input type="checkbox"/> ADR.OPS.D.065(a) Aircraft departure<br>o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS<br>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)<br><input type="checkbox"/> Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté |                                                                    |



## Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )  
Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

## Courtesy translation

Links between apron management services and regulations concerning ground handling

## Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c)in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

-" Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))



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|          | <ul style="list-style-type: none"> <li>- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )</li> <li>- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))</li> <li>- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| response | <p><i>Noted</i></p> <p>The aerodrome operator is responsible for the safe operation of the aerodrome, including the apron.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>637 <span style="float: right;">comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></span></p> <p>Attachment <a href="#">#124</a></p> <p>Comment 7 Responsibilities</p> <p>Répartition des missions, responsabilités et principe de sécurité juridique</p> <p>Objet</p> <p>Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OR.D.018 Training and proficiency check programs - providers of apron management services       <ul style="list-style-type: none"> <li>o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs</li> </ul> </li> <li><input type="checkbox"/> ADR.OR.D.032 Safety reporting system - providers of apron management services</li> <li><input type="checkbox"/> ADR.OPS.D.001 Provision of services       <ul style="list-style-type: none"> <li>o GM1 ADR.OPS.D.001 Provision of services</li> </ul> </li> <li><input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services</li> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE</li> </ul> </li> </ul> <p>Commentaires</p> <p>Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.</p> <p>Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.</p> <p>Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".</p> <p>L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management</p> |



services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the



deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of



services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliance by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

comment 654 comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*

Attachment [#125](#)

Comment 11

Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

•

ADR.OPS.D.015 Management. of aircraft movement on the apron

o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

• ADR.OPS.D.025 Apron management boundaries.

• ADR.OPS.D.030 Assignment of radio frequencies to apron management service

• ADR.OPS.D.035 Management of vehicle movements

o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

• ADR.OPS.D.045 Management of apron safety

• ADR.OPS.D.050 Aircraft stand allocation

• ADR.OPS.D.060 Aircraft parking

• ADR.OPS.D.065 Aircraft departure

• ADR.OPS.D.085 Training

Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en



oeuvre de mesures par les tiers à l'édition de mesures parfois coercitives. Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc.). Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we



have to verify that the entry/exit of aircrafts on the apron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement. But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boundaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response *Noted*

comment 681 comment by: ACA - Aéroports de la Côte d'Azur - NCE/LFMN

Objet

Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.

Références

•

ADR.OPS.D.060 Aircraft parking

o

AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS

o

AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)



- Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté

#### Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevioler à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c )  
Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

Courtesy translation

Links between apron management services and regulations concerning ground handling

#### Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>Example of functions which raise issues</p> <ul style="list-style-type: none"> <li>- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))</li> <li>- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )</li> <li>- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))</li> <li>- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Noted</i></p> <p>The aerodrome operator is responsible for the safe operation of the aerodrome, including the apron.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>716 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p>Attachment <a href="#">#126</a></p> <p style="text-align: center;"><b>Articulation entre gestion d'aire de trafic et réglementation en matière d'assistance en escale</b></p> <p>Objet</p> <p>Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking</li> <li><input type="checkbox"/> ADR.OPS.D.085 Training</li> <li><input type="checkbox"/> ADR.OPS.D.065(a) Aircraft departure       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)</li> </ul> </li> <li><input type="checkbox"/> Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté</li> </ul> <p>Commentaires</p> <p>Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.</p> <p>Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.</p> <p>Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .</p> |



Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c )

Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

Courtesy translation

Links between apron management services and regulations concerning ground handling

Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))
- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )
- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))
- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

response *Noted*

The aerodrome operator is responsible for the safe operation of the aerodrome, including the apron.

comment 728

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#127](#)

### Répartition des missions, responsabilités et principe de sécurité juridique

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

ADR.OR.D.018 Training and proficiency check programs - providers of apron management



services

o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs

ı ADR.OR.D.032 Safety reporting system - providers of apron management services

ı ADR.OPS.D.001 Provision of services

o GM1 ADR.OPS.D.001 Provision of services

ı ADR.OPS.D.005 Functions of a provider of apron management services

ı ADR.OPS.D.060 Aircraft parking

o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ADR.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;

- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation



susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliances by another entity". GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, "

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel



involved in the operation, maintenance and management of the aerodrome".

GM1. ADR.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.  
by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

comment 756

comment by: Pau Pyrénées Airport - PUF/LFBP



Attachment [#128](#)

Rôle de coordination dévolu à l'exploitant d'aérodrome

## Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

## Références

- 

ADR.OPS.D.015 Management. of aircraft movement on the apron

- o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

- ADR.OPS.D.025 Apron management boundaries.
- ADR.OPS.D.030 Assignment of radio frequencies to apron management service
- ADR.OPS.D.035 Management of vehicle movements

- o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

- o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

- ADR.OPS.D.045 Management of apron safety
- ADR.OPS.D.050 Aircraft stand allocation
- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.065 Aircraft departure
- ADR.OPS.D.085 Training

## Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de



fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boudaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boudaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|          | <p>broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.</p> <p>Proposal</p> <p>Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).</p> <p>- ADR.OPS.D.025 Apron management boundaries<br/>Remplace « publish » par « provide »</p> <p>- ADR.OPS.D.030 Assignment of radio frequencies to apron management service</p> <p>Delete this rule</p>                                                                                                                                                                                                                                                                               |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>800 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span></p> <p>These activities are normally provided by the handling company. Handling companies are not certified by EASA. How can an Airport Operator “ensure” that these activities are provided correctly by a not certified party? EASA should define instruments to address this issue.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <p><i>Accepted</i></p> <p>The responsibilities of the aerodrome operator has been amended to require the establishment of the relevant procedures.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>982 <span style="float: right;">comment by: <i>FNAM</i></span></p> <p>On all new missions planned with the apron management rules, some of them are ground handling activities in the sense of the Council Directive 96/67/UE of 15 October 1996.</p> <p>This Directive calls ground handling all ramp services including guidance of the aircraft arrival and departure. In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs).</p> <p>The implementing rules proposed by EASA must respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.</p> |
| response | <p><i>Partially accepted</i></p> <p>The aerodrome operator is responsible for the operation of the aerodrome, including apron. Although some functions on the apron are performed by other organisations, the responsibility remains with the aerodrome operator. However, in order to have a more reasonable approach, the responsibility of the aerodrome operator has been amended to require the establishment of the relevant procedures.</p>                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>1011 <span style="float: right;">comment by: <i>Turin Airport - TRN/LIMF</i></span></p> <p>These activities are normally provided by the handling company.<br/>Handling companies are not certified by EASA. How can an Airport Operator “ensure” that</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



|          |                                                                                                                                                  |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------|
|          | these activities are provided correctly by a not certified party? EASA should define instruments to address this issue.                          |
| response | <i>Accepted</i><br><br>The responsibilities of the aerodrome operator have been amended to require the establishment of the relevant procedures. |

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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.065 Aircraft departure</b> | p. 26 |
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|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| comment  | <p>116 ❖ <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p> <p>Add "establish procedures that" between "shall" and "ensure" as, for example, ADR.OPS.D.060 (a) clearly is a responsibility of the flight crew.</p>                                                                                                                                                                                                                                                                                          |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>175 ❖ <span style="float: right;">comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></span></p> <p>A cross-reference to the applicable "clearance distances" CSs would be helpful.</p> <p>Paragraph (a) should be rephrased to read:<br/> "...to make the maintaining of clearance distances by the flight crew or the pushback-vehicle operator possible"<br/> as the steering of the airplane is not the responsibility of the aerodrome operator</p> |
| response | <p><i>Not accepted</i></p> <p>ADR OPS.D.055 (former ADR OPS.D.060) has been amended requiring from the aerodrome operator to establish the relevant procedures for the safe parking of aircraft. The proposed change to point (a) is not supported since during the parking manoeuvre, apart from the responsibility of the flight crew, ground personnel shall observe clearance distances and inform flight crew when they are not maintained.</p>                                                                                                 |
| comment  | <p>184 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p>Attachment <a href="#">#129</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/> Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.<br/> Références<br/> <input type="checkbox"/> ADR.OPS.D.060 Aircraft parking</p>                                                                                           |



- ADR.OPS.D.085 Training
- ADR.OPS.D.065(a) Aircraft departure
  - o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)
- Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté

#### Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )

Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

#### Courtesy translation

Links between apron management services and regulations concerning ground handling

#### Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.</p> <p>The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.</p> <p>Example of functions which raise issues</p> <ul style="list-style-type: none"> <li>- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))</li> <li>- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )</li> <li>- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))</li> <li>- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Noted</i></p> <p>The aerodrome operator is responsible for the safe operation of the aerodrome, including the apron.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>234 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p><a href="#">Attachment #130</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li>• ADR.OPS.D.015 Management. of aircraft movement on the apron       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION</li> </ul> </li> <li>• ADR.OPS.D.025 Apron management boundaries.</li> <li>• ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li>• ADR.OPS.D.035 Management of vehicle movements       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li>o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS</li> </ul> </li> <li>• ADR.OPS.D.045 Management of apron safety</li> <li>• ADR.OPS.D.050 Aircraft stand allocation</li> <li>• ADR.OPS.D.060 Aircraft parking</li> <li>• ADR.OPS.D.065 Aircraft departure</li> <li>• ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.</p> <p>Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du</p> |



mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

#### *Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

#### *Propositions*

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of



aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025  
*Apron management boudaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries  
Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service  
Delete this rule

response *Noted*

comment **288** comment by: *Avinor*

Add "establish procedures that" between "shall" and "ensure" as, for example, ADR.OPS.D.060 (a) clearly is a responsibility of the flight crew.

response *Accepted*

The text has been revised as proposed.

comment **377** comment by: *Aéroports De Lyon*

**ADR.OPS.D.065 Aircraft departure**

The aerodrome operator shall ensure that during the departure of an aircraft from the area used for aircraft parking on an apron:

- (a) the designated exit route is unobstructed; and
- (b) the clearance distances are maintained.

[Commentaire](#) : Ce n'est pas à l'exploitant de s'assurer que de la mise en œuvre de ces exigences : rôle de l'assistant. Pourquoi cet article ne figure-t-il pas dans la réglementation



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | applicable aux assistants ? (Cet article implique une responsabilité élevée de l'exploitant alors qu'en réalité, c'est à l'assistant que revient cette responsabilité : problématique en cas d'incident)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | 403 <span style="float: right;">comment by: ACI EUROPE (Airports Council International)</span><br>Add "establish procedures that" between "shall" and "ensure" as, for example, ADR.OPS.D.060 (a) clearly is a responsibility of the flight crew.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| response | <i>Accepted</i><br>The text has been revised as proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | 502 <span style="float: right;">comment by: DGAC France</span><br><b>ADR.OPS.D.065 Aircraft departure</b><br><b>Level 1 - Fundamental comment</b><br>Comment similar to ADR.OPS.D.060 "Aircraft parking".<br>The wording of ADR.OPS.D.065 (with the verb "ensure") is ambiguous, as it suggests that the aerodrome operator is in charge of monitoring every aircraft departure, which is not realistic nor advisable. Aircraft departure operation <u>is achieved by the airline or its ground handler</u> . The airline or its ground handler shall take into account operating instructions which have been established upstream by the aerodrome operator. As regards aircraft departure, these instructions may in particular relate to the push back procedures, which are different according to the considered parking stand. The aerodrome operator should make random inspections to verify these rules are implemented by airlines or ground handlers, however it doesn't imply a systematic monitoring.<br>It is therefore proposed to modify ADR.OPS.D.065 as follows, and to introduce a GM indicating that the airline or its ground handler is in charge of achieving the departure manoeuvre, in accordance with the rules established by the aerodrome operator.<br><b>ADR.OPS.D.065 Aircraft departure</b><br>The aerodrome operator shall ensure <u>that rules are established, so that during the departure of an aircraft from the area used for aircraft parking on an apron:</u><br>(a) the designated exit route is unobstructed; and<br>(b) the clearance distances are maintained.<br><b>GM1 ADR.OPS.D.065 Aircraft departure</b><br>The departure operation is achieved by airline personnel or its ground handler's. However, the assigned personnel should comply with the operating rules established by the aerodrome operator on the apron. |
| response | <i>Accepted</i><br>Concerning the Implementing Rule, the responsibilities of the aerodrome operator have been amended to require the establishment of the relevant procedures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | 526 <span style="float: right;">comment by: BAA Airside operations</span><br>ADR.Ops.D.060 and 065 are not ADR OPR responsibilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



The aerodrome operator is responsible for the operation of the aerodrome, including apron. Although some functions on the apron are performed by other organisations, the responsibility remains with the aerodrome operator. However, in order to have a more reasonable approach, the responsibility of the aerodrome operator has been amended to require the establishment of the relevant procedures.

comment 588 comment by: Belgian CAA

What clearance distances have to be maintained? Maybe this should be clarified in AMC?

response *Noted*

comment 629 comment by: ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD

Attachment [#131](#)

Comment 6

Objet

Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.

Références

ADR.OPS.D.060 Aircraft parking

ADR.OPS.D.085 Training

ADR.OPS.D.065(a) Aircraft departure

o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)

Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté

Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevioler à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .



Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c )

Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

Courtesy translation

Links between apron management services and regulations concerning ground handling

Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))
- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )
- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))
- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

response *Noted*

The aerodrome operator is responsible for the safe operation of the aerodrome, including the apron.

comment 655

comment by: *ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD*

Attachment [#132](#)

Comment 11

Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

- 



ADR.OPS.D.015 Management. of aircraft movement on the apron

o

AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION

- ADR.OPS.D.025 Apron management boundaries.
- ADR.OPS.D.030 Assignment of radio frequencies to apron management service
- ADR.OPS.D.035 Management of vehicle movements

o

AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES

o

AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

- ADR.OPS.D.045 Management of apron safety
- ADR.OPS.D.050 Aircraft stand allocation
- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.065 Aircraft departure
- ADR.OPS.D.085 Training

Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025

*Apron management boundaries*

impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).



## Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the apron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025

*Apron management boundaries*

oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>Remplace « publish » par « provide »<br/> - ADR.OPS.D.030 Assignment of radio frequencies to apron management service<br/> Delete this rule</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | <p>718 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p>Attachment <a href="#">#133</a></p> <p style="text-align: center;"><b>Articulation entre gestion d'aire de trafic et réglementation en matière d'assistance en escale</b></p> <p>Objet<br/> Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking</li> <li><input type="checkbox"/> ADR.OPS.D.085 Training</li> <li><input type="checkbox"/> ADR.OPS.D.065(a) Aircraft departure <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)</li> </ul> </li> <li><input type="checkbox"/> Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté</li> </ul> <p>Commentaires</p> <p>Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.</p> <p>Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevioler à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.</p> <p>Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .</p> <p>Exemples de fonctions qui posent problèmes :</p> <ul style="list-style-type: none"> <li>Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )</li> <li>Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))</li> <li>S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))</li> <li>S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))</li> </ul> |



Formation des personnels ADR.OPS.D.085

Courtesy translation

Links between apron management services and regulations concerning ground handling

Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))

- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )

- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))

- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

response *Noted*

comment **801** comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

If AMS is provided by airport operator and ATS unit, and regulated by a specific "letter of agreement" between the parties, the sentence "Airport operator shall ensure" should be reverted to the party responsible for the guidance and the control of the airplane on the apron.

response *Noted*

The aerodrome operator is responsible for the operation of the aerodrome, including apron. Although some functions on the apron are performed by other organisations, the responsibility remains with the aerodrome operator. However, in order to have a more reasonable approach, the responsibility of the aerodrome operator has been amended to require the establishment of the relevant procedures.

comment **983** comment by: *FNAM*

On all new missions planned with the apron management rules, some of them are ground handling activities in the sense of the Council Directive 96/67/UE of 15 October 1996.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|          | <p>This Directive calls ground handling all ramp services including guidance of the aircraft arrival and departure. In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs).</p> <p>The implementing rules proposed by EASA must respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.</p> |
| response | <p><i>Partially accepted</i></p> <p>The aerodrome operator is responsible for the operation of the aerodrome, including apron. Although some functions on the apron are performed by other organisations, the responsibility remains with the aerodrome operator. However, in order to have a more reasonable approach, the responsibility of the aerodrome operator has been amended to require the establishment of the relevant procedures.</p>                                                                                                                                        |
| comment  | <p>1012 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span></p> <p>If AMS is provided by airport operator and ATS unit, and regulated by a specific “letter of agreement” between the parties, the sentence “Airport operator shall ensure” should be reverted to the party responsible for the guidance and the control of the airplane on the apron.</p>                                                                                                                                                                                                            |
| response | <p><i>Noted</i></p> <p>The aerodrome operator is responsible for the operation of the aerodrome, including apron. Although some functions on the apron are performed by other organisations, the responsibility remains with the aerodrome operator. However, in order to have a more reasonable approach, the responsibility of the aerodrome operator has been amended to require the establishment of the relevant procedures.</p>                                                                                                                                                     |

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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.070 Start-up clearances and taxi instructions</b> | p. 26 |
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| comment  | <p>298 <span style="float: right;">comment by: European Transport Workers Federation - ETF</span></p> <p>Even when there is no apron management services unit established, a communication between the entity responsible for the apron (i.e. the aerodrome operator) and the ATS unit needs to happen for the sake of the safe manoeuvring of the aircraft and the safety people working around the aircraft.</p> <p>A reminder of the implication of the start-up clearance shall be included as a GM : it is related to the air traffic flow management.</p> |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>503 <span style="float: right;">comment by: DGAC France</span></p> <p><b>ADR.OPS.D.070 Start-up clearances and taxi instructions</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                     |



**Level 1 - Fundamental comment**

See also general comment on Subpart D and ADR.OPS.D.001.

ADR.OPS.D.070 and its AMC apply to the apron management unit when established. They should be in a new Subpart E dedicated to AMS provider.

When no AMS unit is established, the start-up clearance is given by the ANSP, and the aerodrome operator doesn't "ensure" that the ANSP delivers the clearance properly.

**ADR.OPS.D.070 ADR.OPS.E.xx Start-up clearances and taxi instructions**

~~The~~ When an apron management services unit is established, the aerodrome operator shall ensure that appropriate coordination is established between the apron management services unit and coordinate with the air traffic services unit for the delivery of start-up clearances and taxi instructions to the agreed handover point(s).

**AMC1 ADR.OPS.D.070 ADR.OPS.E.xx Start-up clearances and taxi instructions**

~~When an apron management services unit is established, t~~ The following arrangements should exist between the apron management services and the air traffic services in accordance with the written agreement as defined in ADR.OPS.D.010 ADR.OPS.E.020:

[...]

response *Accepted*

ADR OPS.D.070 has been moved to Subpart E as ADR.OPS.E.025, and text has been revised. Push-back clearances have also included in the Implementing Rule.

comment 543

comment by: *Swedish Transport Agency*

In the first part it is stated that air traffic services unit should act in accordance with the written agreement, this should be changed to air traffic services unit instead. The service in itself can't act.

response *Noted*

The article refers to the coordination between the apron management services provider and the air traffic services provider.

comment 773

comment by: *IFATCA*

ADR.OPS.D.070 Start-up clearances and taxi instructions When an apron management services unit is established, the aerodrome operator shall ensure that appropriate coordination is established between the apron management services unit and air traffic services unit for the delivery of start-up and push-back clearances and taxi instructions to the agreed handover point(s).  
add to be complete

response *Accepted*

ADR OPS.D.070 has been moved to Subpart E as ADR.OPS.E.025, and push-back clearances have been included in the Implementing Rule.

comment 927

comment by: *The Civil Aviation Authority*

Impose an obligation of reassurance that appropriate coordination is established between the apron management services unit and air traffic services unit for the delivery of start-up clearances and taxi instructions to the agreed handover point(s), can lead to



misunderstanding and problems in fixing the division of responsibilities.  
With respect to Polish practice (where ATS maintains radio communication with flight crew to prevent collisions between aircraft and for the delivery of start-up clearances, push back clearances and taxi instructions – which is in line with ICAO Annex 11 and PANS-ATM), the best solution would be adding (in ADR.AR part) the possibility to determine in national law standard division of responsibilities between ATS and aerodrome operator. It would be possible to apply any other division of responsibilities in accordance with written agreements.

response *Accepted*

ADR OPS.D.070 has been moved to Subpart E as ADR OPS.E.025, and is addressed to the provider of apron management services.

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.075 Dissemination of information to operators** p. 26

comment 57 comment by: *Flughafen Berlin Brandenburg GmbH*

The issues described in ADR.OPS.D.075 are also of interest for flight crews and need to be promulgated according to OPS.A.015. Hence, a reference to ADR.OPS.A.015 should be added.

Add:

"The same or similar procedures as described in ADR.OPS.A.015 might apply."

response *Accepted*

The text has been revised as follows:

'The aerodrome operator shall ensure that information regarding limitations to operations on the apron is distributed in a timely manner to organisations operating on the apron. The provisions of ADR OPS.A.015 might also apply on the apron.'

comment 117 comment by: *ADV - German Airports Association*

The issues described in ADR.OPS.D.075 are also of interest for flight crews and need to be promulgated according to OPS.A.015. Hence, a reference to ADR.OPS.A.015 should be added. Add: "The same or similar procedures as described in ADR.OPS.A.015 might apply."

response *Accepted*

The text has been revised as follows:

'The aerodrome operator shall ensure that information regarding limitations to operations on the apron is distributed in a timely manner to organisations operating on the apron. The provisions of ADR OPS.A.015 might also apply on the apron.'

comment 187 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre*

Change "interested organisations" to make clear that information needs only to be



|          |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|          |                 | distributed to those responsible for the safety. It cannot be the responsibility of the aerodrome operator to inform anyone who might want to be informed.                                                                                                                                                                                                                                                                                                                                                                  |
| response | <i>Accepted</i> | 'Interested organisations' has been replaced by 'organisation operating on the apron' in order to be more precise.                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | 289             | comment by: <i>Avinor</i><br>The issues described in ADR.OPS.D.075 are also of interest for flight crews and need to promulgated according to OPS.A.015. Hence, a reference to ADR.OPS.A.015 should be added. Add: "The same or similar procedures as described in ADR.OPS.A.015 might apply."                                                                                                                                                                                                                              |
| response | <i>Accepted</i> | The text has been revised as follows:<br>'The aerodrome operator shall ensure that information regarding limitations to operations on the apron is distributed in a timely manner to organisations operating on the apron. The provisions of ADR OPS.A.015 might also apply on the apron.'                                                                                                                                                                                                                                  |
| comment  | 404             | comment by: <i>ACI EUROPE (Airports Council International)</i><br>The issues described in ADR.OPS.D.075 are also of interest for flight crews and need to promulgated according to OPS.A.015. Hence, a reference to ADR.OPS.A.015 should be added. Add: "The same or similar procedures as described in ADR.OPS.A.015 might apply."                                                                                                                                                                                         |
| response | <i>Accepted</i> | The text has been revised as follows:<br>'The aerodrome operator shall ensure that information regarding limitations to operations on the apron is distributed in a timely manner to organisations operating on the apron. The provisions of ADR OPS.A.015 might also apply on the apron.'                                                                                                                                                                                                                                  |
| comment  | 504             | comment by: <i>DGAC France</i><br><b>ADR.OPS.D.075 Dissemination of information to operators</b><br><b>Level 2 – Suggestion for clarification</b><br>This IR requires the aerodrome operator to ensure that information regarding limitations to operations on the apron is distributed to interested organisations. "Interested organisations" is too vague and should be replaced by a more precise wording, for example "apron users" (and possibly also the provider of air traffic services, for coordination issues). |
| response | <i>Accepted</i> | 'Interested organisations' has been replaced by 'organisation operating on the apron' in order to be more precise.                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | 589             | comment by: <i>Belgian CAA</i><br>"Interested organisations" goes further than "operators" (title). This is vague and unclear                                                                                                                                                                                                                                                                                                                                                                                               |



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|          | (same problem for GM1).                                                                                                                                                                                                                                                                                                                                       |
| response | <i>Accepted</i><br><br>'Interested organisations' has been replaced by 'organisation operating on the apron' in order to be more precise.                                                                                                                                                                                                                     |
| comment  | <b>802</b> comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i><br><br>The issues described in ADR.OPS.D.075 are also of interest for flight crews and need to promulgated according to OPS.A.015. Hence, a reference to ADR.OPS.A.015 should be added. Add: "The same or similar procedures as described in ADR.OPS.A.015 might apply." |
| response | <i>Accepted</i><br><br>The text has been revised as follows:<br><br>'The aerodrome operator shall ensure that information regarding limitations to operations on the apron is distributed in a timely manner to organisations operating on the apron. The provisions of ADR OPS.A.015 might also apply on the apron.'                                         |
| comment  | <b>1013</b> comment by: <i>Turin Airport - TRN/LIMF</i><br><br>The issues described in ADR.OPS.D.075 are also of interest for flight crews and need to promulgated according to OPS.A.015. Hence, a reference to ADR.OPS.A.015 should be added. Add:<br>"The same or similar procedures as described in ADR.OPS.A.015 might apply."                           |
| response | <i>Accepted</i><br><br>The text has been revised as follows:<br><br>'The aerodrome operator shall ensure that information regarding limitations to operations on the apron is distributed in a timely manner to organisations operating on the apron. The provisions of ADR OPS.A.015 might also apply on the apron.'                                         |

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| <b>3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.080 Alerting of emergency services</b> | p. 26 |
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| comment  | <b>58</b> comment by: <i>Flughafen Berlin Brandenburg GmbH</i><br><br>A reference to to ADR.OPS.B.005 and ADR.OPS.B:010 should be added as the alerting procedures should be in line with these requirements. |
| response | <i>Accepted</i><br><br>ADR OPS.D.070 (former ADR.OPS.D.080) has been amended to include reference to the aerodrome emergency plan (ADR OPS.B.005).                                                            |
| comment  | <b>118</b> comment by: <i>ADV - German Airports Association</i>                                                                                                                                               |



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|          | A reference to ADR.OPS.B.005 and ADR.OPS.B.010 should be added as the alerting procedures should be in line with these requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| response | <p><i>Accepted</i></p> <p>ADR OPS.D.070 (former ADR.OPS.D.080) has been amended to include reference to the aerodrome emergency plan (ADR OPS.B.005).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>290 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>A reference to ADR.OPS.B.005 and ADR.OPS.B.010 should be added as the alerting procedures should be in line with these requirements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Accepted</i></p> <p>ADR OPS.D.070 (former ADR.OPS.D.080) has been amended to include reference to the aerodrome emergency plan (ADR OPS.B.005).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>405 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span></p> <p>A reference to ADR.OPS.B.005 and ADR.OPS.B.010 should be added as the alerting procedures should be in line with these requirements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <p><i>Accepted</i></p> <p>ADR OPS.D.070 (former ADR.OPS.D.080) has been amended to include reference to the aerodrome emergency plan (ADR OPS.B.005).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>505 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p><b>ADR.OPS.D.080 Alerting of emergency services</b><br/> <b>Level 1 - Fundamental comment</b></p> <p>Contrary to what is required by ADR.OPS.D.080, the aerodrome operator doesn't always have the responsibility for alerting the rescue services when required on the apron. It is true that the aerodrome operator has to provide adequate means of alert on the apron, however the whole alerting procedure is not under its responsibility.</p> <p>At Charles-de-Gaulle airport, <u>the AMS provider, under the authority of ATS</u>, is responsible for alerting emergency services when required by an aircraft or a vehicle regulated on the apron. Besides, rescue services can also be directly alerted by third parties noticing an emergency. That's why the aerodrome operator is at least responsible for providing adequate means of alert on the apron (like telephones, emergency buttons, etc). In this case, the AMS provider is informed afterwards by the rescue services.</p> <p>It should be noted that <u>the procedure for alerting rescue services when required on the apron is a specific part of the aerodrome emergency plan required by ADR.OPS.B.005</u>. In France, this procedure is defined in the State emergency plans specific to each airport (called "ORSEC" plans), under the authority of the préfet (local French State representative). The process involves aerodrome RFF services, as well as other services which may not be under the authority of the aerodrome operator (State entities, in particular).</p> <p>It is therefore proposed to modify ADR.OPS.D.080 and its associated AMCs and GMs as follows :</p> <p><b>ADR.OPS.D.080 Alerting of emergency services</b><br/> <b>The aerodrome operator shall ensure that :</b></p> |



(a) The aerodrome emergency plan required by ADR.OPS.B.005 contains a procedure to alert emergency services when required on the apron ; and

(b) appropriate means and facilities are available on the apron for alerting the relevant emergency services when required on the apron, in accordance with the procedure.

**AMC1 ADR.OPS.D.080 Alerting of emergency services**  
GENERAL  
The aerodrome operator should:

(a) establish and implement procedures to alert emergency services when required on the apron; and

(b) The procedure should make publicly available contact details for alerting the emergency services.

**GM2 ADR.OPS.D.080 Alerting of emergency services**  
MEANS FOR ALERTING EMERGENCY SERVICES  
The means that could be used for alerting the emergency services depends on the size and complexity of the aerodrome. The aerodrome operator should assess the local requirements should be assessed and establish the most appropriate means should be established. These could include:

(a) radio;

(b) telephones; and

(c) emergency buttons.

response *Accepted*

ADR OPS.D.070 (former ADR.OPS.D.080) has been amended to include reference to the aerodrome emergency plan (ADR OPS.B.005).

comment 803 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

A reference to ADR.OPS.B.005 and ADR.OPS.B.010 should be added as the alerting procedures should be in line with these requirements.

response *Accepted*

ADR OPS.D.070 (former ADR.OPS.D.080) has been amended to include reference to the aerodrome emergency plan (ADR OPS.B.005).

comment 1014 comment by: *Turin Airport - TRN/LIMF*

A reference to ADR.OPS.B.005 and ADR.OPS.B.010 should be added as the alerting procedures should be in line with these requirements.

response *Accepted*

ADR OPS.D.070 (former ADR.OPS.D.080) has been amended to include reference to the aerodrome emergency plan (ADR OPS.B.005).

**3. Proposed amendments — 3.1. Draft Opinion — ANNEX 1 — Annex IV — Part Operations Requirements — Aerodromes (Part ADR.OPS) — SUBPART D — APRON MANAGEMENT SERVICES (ADR.OPS.D) — ADR.OPS.D.085 Training**

p. 26

comment 59 comment by: *Flughafen Berlin Brandenburg GmbH*



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|          | <p>An aerodrome operator can only ensure that own staff providing the services mentioned is "appropriately trained". Either amend the provision accordingly or delete ADR.OPS.D.085 entirely and modify ADR.OR.D.015 accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Not accepted</i></p> <p>Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards.</p> |
| comment  | <p>95 comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></p> <p>"leader van" is not ICAO terminology, uncommon and should therefore be replaced with "follow-me vehicle"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>119 comment by: <i>ADV - German Airports Association</i></p> <p>(c) An aerodrome operator can only ensure that own staff providing the services mentioned is "appropriately trained". Either amend the provision accordingly or delete ADR.OPS.D.085 entirely and modify ADR.OR.D.015 accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Not accepted</i></p> <p>Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards.</p> |
| comment  | <p>183 comment by: <i>Union des Aéroports français - UAF</i></p> <p>Attachment <a href="#">#134</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.</p> <p>Références</p>                                                                                                                                                                                                                                                                                                                                                                                 |



- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.085 Training
- ADR.OPS.D.065(a) Aircraft departure
  - o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)
- Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté

#### Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )  
Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

#### Courtesy translation

Links between apron management services and regulations concerning ground handling

#### Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c)in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.



The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))
- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )
- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))
- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

response *Noted*

comment

201

comment by: *Union des Aéroports français - UAF*

Attachment [#135](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

Références

ADR.OR.D.005 (8) (9) Management system (training)

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

o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services

ADR.OPS.D.085 Training

Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les société d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D.085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

Courtesy translation

Training

Comments



The requirements of training defined by rules will create several difficulties. The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement). Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services". There is clearly an overlapping area between both training programs. Is it about the same training program? Finally the ADR.OPS.D.085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.

response *Noted*

comment **211** comment by: *Swedavia AB - Swedish airports*

An aerodrome operator can only ensure that own staff providing the services mentioned is "appropriately trained". Either amend the provision accordingly or delete ADR.OPS.D.085 entirely and modify ADR.OR.D:015 accordingly.

response *Not accepted*

Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards.

comment **235** comment by: *Union des Aéroports français - UAF*

Attachment [#136](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

Références

ADR.OPS.D.015 Management. of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron

o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron  
COORDINATION

ADR.OPS.D.025 Apron management boundaries.

ADR.OPS.D.030 Assignment of radio frequencies to apron management service

ADR.OPS.D.035 Management of vehicle movements

o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES



o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS

- ADR.OPS.D.045 Management of apron safety
- ADR.OPS.D.050 Aircraft stand allocation
- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.065 Aircraft departure
- ADR.OPS.D.085 Training

#### Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025 Apron management boundaries impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

#### Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation



Coordination  
Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025 Apron management boudaries oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsability of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response *Noted*

comment 291

comment by: *Avinor*

An aerodrome operator can only ensure that own staff providing the services mentioned is "appropriately trained". Either amend the provision accordingly or delete ADR.OPS.D.085 entirely and modify ADR.OR.D:015 accordingly.

response *Not accepted*



Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards.

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| comment  | 379                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>Aéroports De Lyon</i>                           |
|          | <p><b>ADR.OPS.D.085 Training</b></p> <p>The aerodrome operator and/or apron management services provider when established, shall ensure that those persons providing:</p> <p>(a) instructions to aircraft and/or vehicles on the apron through radio frequency;</p> <p>(b) marshalling service; and</p> <p>(c) leader van service;</p> <p>are appropriately trained and qualified.</p> <p><a href="#">Commentaire</a> : L'exploitant n'a pas le pouvoir d'aller vérifier si le personnel est qualifié et formé chez une entreprise tiers.</p>                                                                                                                                                                    |                                                                |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                |
| comment  | 406                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | <p>(c): An aerodrome operator can only ensure that own staff providing the services mentioned is "appropriately trained". Either amend the provision accordingly or delete ADR.OPS.D.085 entirely and modify ADR.OR.D.015 accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                |
|          | <p>Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards.</p> |                                                                |
| comment  | 427                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>Aéroports De Lyon</i>                           |
|          | <p>An aerodrome operator can only ensure that own staff providing the services mentioned is "appropriately trained". Either amend the provision accordingly or delete ADR.OPS.D.085 entirely and modify ADR.OR.D:015 accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                |
|          | <p>Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes</p>                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                |



around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards.

comment

506

comment by: DGAC France

**ADR.OPS.D.085 Responsibilities for training of personnel****Level 1 - Fundamental comment**

a) According to Council directive 96/67/EC of 15 October 1996 *on access to the groundhandling market at Community airports*, personnel providing marshalling service, leader van service or instructions through radio frequency are considered as ground handlers, unless the corresponding services are provided by the air traffic service (cf Annex, para 5 "ramp handling").

It means that the aerodrome operator has no power and no means to ensure the proper training of this personnel. ADR.OPS.D.085 should be a requirement applying to the entity providing the service : either the ground handler, or the ANSP in case the latter performs the service (as for example the apron control tower in CDG, which is a sub-entity of the French ANSP).

Note : according to Council directive 96/67/EC, Member States can require the obtention of an approval delivered by a public authority for ground handlers, based among other criteria on safety of equipment and persons. The training requirements introduced by ADR.OPS.D.085 could be a condition for the obtention of this approval.

b) Another question is to determine whether the services listed in ADR.OPS.D.085 are in the scope of "Apron management service" as defined by ICAO Annex 14. Since the NPA gives no definition of the means that can be used to provide AMS service, it is not clear whether these personnel are in the scope of AMS service (as a way to ensure the three AMS functions), or if they can operate even when no AMS unit is established.

The corresponding AMCs give the impression that marshalling and leader van service are as out of the scope of AMS unit, whereas instructions through R/T is specific to the provision of AMS. Indeed, AMC5, relating to personnel providing instructions to aircraft or vehicles on the apron through RTF, is the only AMC which has the words "AMS unit" in its subtitle. It is not the case for AMC3 and AMC4.

If this interpretation is confirmed, the provisions relating to leader vans or marshallers can remain in Subpart D, whereas provisions relating to personnel providing instructions through R/T, which apply to the AMS unit/provider, should be moved in Subpart E.

It is therefore proposed to modify ADR.OPS.D.085 and the corresponding AMCs as follows :

**ADR.OPS.D.085 Training**

~~The aerodrome operator and/or apron management services provider when established, shall ensure that~~

~~The employer of those persons providing:~~

~~(a) instructions to aircraft and/or vehicles on the apron through radio frequency;~~

~~(b) marshalling service; and~~

~~(c) leader van service;~~

~~shall ensure that they are appropriately trained and qualified.~~

**ADR.OPS.E.xx Training**

~~The apron management services provider shall ensure that those persons providing instructions to aircraft and/or vehicles on the apron through radio frequency are appropriately trained and qualified.~~



**AMC3 ADR.OPS.D.085(a) Training**

## MARSHALLERS TRAINING

(a) ~~The aerodrome operator should ensure that a~~ Aircraft marshallers **should** have successfully completed initial, on-the-job-training, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome.

[...]

(f) ~~The aerodrome operator should ensure that~~ marshallers **are should be** briefed or, if required, trained on new procedures or changes to existing procedures.

**AMC4 ADR.OPS.D.085(a) Training**

## LEADER VAN DRIVERS' TRAINING

(a) ~~The aerodrome operator should ensure that~~ FOLLOW-ME vehicle drivers **should** have successfully completed initial, on-the-job-training, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome.

[...]

(f) ~~The aerodrome operator should ensure that~~ FOLLOW-ME vehicle drivers **are should be** briefed or, if required, trained on new procedures or changes to existing procedures.

**AMC5 ADR.OPS.D.085(a) ADR.OPS.E.xx Training**

## APRON MANAGEMENT SERVICE UNIT

(a) ~~The aerodrome operator or, when applicable,~~ the apron management services provider should ensure that personnel providing instructions to aircraft or vehicles on the apron through RTF have successfully completed initial, on-the-job, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome;

[...]

(f) ~~The aerodrome operator should ensure that~~ personnel providing instructions to aircraft or vehicles on the apron through RTF **are should be** briefed or, if required, trained on new procedures or changes to existing procedures.

response

*Partially accepted*

Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards. In addition to this, marshalling of aircraft and leader-van service are performed at aerodromes irrespective of the existence of an apron management services provider, therefore, the proposal to distinguish the training of these two functions from the training of the staff giving verbal instructions to aircraft through R/T has been accepted.

comment

562

comment by: *Finavia*

Comment: Especially the marshalling service is provided by the external ground handling companies. Practically this means that hundreds of people, outside the supervision of the aerodrome operator, are involved. Has anybody thought how the aerodrome operator should ensure that these training requirements are continuously followed and fulfilled by those external companies!?

Proposed action: Clarification is needed that if the service is provided by somebody else than



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | the aerodrome operator the provider itself shall be responsible for the fulfillment of the training requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <p><i>Not accepted</i></p> <p>Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards.</p>                                                                                                                                                                                                                                                    |
| comment  | <p>590 <span style="float: right;">comment by: <i>Belgian CAA</i></span></p> <p>Does the aerodrome operator also have to control the training of ATCOs if the apron management service is partially provided by the ATC? Maybe, an AMC can clarify this situation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Accepted</i></p> <p>It is not the intention to have the aerodrome operator to control ATCOs training. Therefore, the responsibility has been removed from the aerodrome operator and the provision has been moved to ADR OPS.E.035. An AMC clarifying the issue will be provided.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>591 <span style="float: right;">comment by: <i>Belgian CAA</i></span></p> <p>Replace "leader van service" by "follow me vehicle".</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | <p>630 <span style="float: right;">comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></span></p> <p>Attachment <a href="#">#137</a></p> <p>Comment 6</p> <p>Objet<br/>Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking</li> <li><input type="checkbox"/> ADR.OPS.D.085 Training</li> <li><input type="checkbox"/> ADR.OPS.D.065(a) Aircraft departure       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)</li> </ul> </li> <li><input type="checkbox"/> Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté</li> </ul> |



## Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )  
Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

## Courtesy translation

Links between apron management services and regulations concerning ground handling

## Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c)in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

-" Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))



|          |                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <ul style="list-style-type: none"> <li>- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )</li> <li>- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))</li> <li>- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))</li> </ul> |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                        |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| comment | <p>644 comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></p> <p>Attachment <a href="#">#138</a></p> <p>Comment 10</p> <p>Objet<br/>Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.<br/>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OR.D.005 (8) (9) Management system (training)</li> <li><input type="checkbox"/> ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services       <ul style="list-style-type: none"> <li>o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services</li> </ul> </li> <li><input type="checkbox"/> ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.</p> <p>La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les société d'assistance en escale).</p> <p>En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)). Enfin l'ADR.OPS.D.085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.</p> <p>Courtesy translation</p> <p>Training</p> <p>Comments</p> <p>The requirements of training defined by rules will create several difficulties.</p> <p>The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).</p> <p>Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron</p> |
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|          |                                                                                                                                                                                                                                                                                                                                                       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>management services"</p> <p>There is clearly an overlapping area between both training programs. Is it about the same training program?</p> <p>Finally the ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.</p> |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                          |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment | <p>656 comment by: <i>ADBM - Aeroport de Bordeaux Merignac - BOD/LFBD</i></p> <p><a href="#">Attachment #139</a></p> <p>Comment 11</p> <p>Objet<br/>Rôle de coordination dévolu à l'exploitant d'aérodrome</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OPS.D.015 Management. of aircraft movement on the apron</li> <li><input type="checkbox"/> ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron</li> </ul> </li> <li>COORDINATION</li> <li><input type="checkbox"/> ADR.OPS.D.025 Apron management boundaries.</li> <li><input type="checkbox"/> ADR.OPS.D.030 Assignment of radio frequencies to apron management service</li> <li><input type="checkbox"/> ADR.OPS.D.035 Management of vehicle movements       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES</li> <li>o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION</li> </ul> </li> <li>REQUIREMENTS</li> <li><input type="checkbox"/> ADR.OPS.D.045 Management of apron safety</li> <li><input type="checkbox"/> ADR.OPS.D.050 Aircraft stand allocation</li> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking</li> <li><input type="checkbox"/> ADR.OPS.D.065 Aircraft departure</li> <li><input type="checkbox"/> ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édiction de mesures parfois coercitives.</p> <p>Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).</p> <p>Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.</p> <p>Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.</p> <p>Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de</p> |
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coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025 Apron management boundaries impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the epron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025 Apron management boundaries oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsibility of the Air Information Service (SIA) who is in charge to publish all informations in coordination with



aerodrome operator who is in charge to give information up to date.  
 Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.  
 Proposal  
 Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).  
 - ADR.OPS.D.025 Apron management boundaries  
 Remplace « publish » par « provide »  
 - ADR.OPS.D.030 Assignment of radio frequencies to apron management service  
 Delete this rule

response *Noted*

comment 717 comment by: *Pau Pyrénées Airport - PUF/LFBP*

Attachment [#140](#)

#### **Articulation entre gestion d'aire de trafic et réglementation en matière d'assistance en escale**

##### Objet

Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.

##### Références

- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.085 Training
- ADR.OPS.D.065(a) Aircraft departure
  - o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)
- Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté

##### Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à



des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c )

Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

Courtesy translation

Links between apron management services and regulations concerning ground handling

Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c)in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))

- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )

- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))

- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

response *Noted*

comment 743

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#141](#)

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

Objet



Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

Références

ADR.OR.D.005 (8) (9) Management system (training)

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

o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services

ADR.OPS.D.085 Training

Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les société d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

Courtesy translation

Training

Comments

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).

Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"

There is clearly an overlapping area between both training programs. Is it about the same training program?

Finally the ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler.

response *Noted*

comment 757

comment by: *Pau Pyrénées Airport - PUF/LFBP*

Attachment [#142](#)

Rôle de coordination dévolu à l'exploitant d'aérodrome



## Objet

Rôle de coordination dévolu à l'exploitant d'aérodrome

## Références

- ADR.OPS.D.015 Management. of aircraft movement on the apron
- ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron
  - o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION
- ADR.OPS.D.025 Apron management boundaries.
- ADR.OPS.D.030 Assignment of radio frequencies to apron management service
- ADR.OPS.D.035 Management of vehicle movements
  - o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES
  - o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS
- ADR.OPS.D.045 Management of apron safety
- ADR.OPS.D.050 Aircraft stand allocation
- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.065 Aircraft departure
- ADR.OPS.D.085 Training

## Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. Il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025 Apron management boundaries impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la



procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries

Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.).

The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For exemple, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the apron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

THE ADR.OPS.D.020 and the ADR.OPS.D.015, give clearly to the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules).

ADR.OPS.D.025 Apron management boundaries oblige aerodrome operator to publish de apron boundaries. In France, air information publication is under responsibility of the Air Information Service (SIA) who is in charge to publish all informations in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives to the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | - ADR.OPS.D.030 Assignment of radio frequencies to apron management service<br>Delete this rule                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | 804 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span><br>An aerodrome operator can only ensure that own staff providing the services mentioned is "appropriately trained". Either amend the provision accordingly or delete ADR.OPS.D.085 entirely and modify ADR.OR.D:015 accordingly.                                                                                                                                                                                                                                                                                                                                                                               |
| response | <i>Not accepted</i><br>Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards. |
| comment  | 875 <span style="float: right;">comment by: <i>Vienna International Airport</i></span><br>The aerodrome operator cannot ensure that persons, which give instructions to aircraft/vehicles on the apron via radio, are trained and qualified when these tasks are fulfilled by the air traffic service provider.                                                                                                                                                                                                                                                                                                                                                                                                                  |
| response | <i>Not accepted</i><br>Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards. |
| comment  | 939 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span><br>This requirement is not in line with Regulation (EU) No. 805/2011. For both ANSP and Competent Authority it is important to use the same set of rules, at least for apron management service staff providing direct service to aircraft.                                                                                                                                                                                                                                                                                                                                                                                      |
| response | <i>Noted</i><br>The requirements are almost identical with the ATCO training programme.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | 985 <span style="float: right;">comment by: <i>FNAM</i></span><br>The requirements of training defined by rules will create several difficulties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



The first one concerns the difficulty to require trainings in safety for companies evolving on apron area and for which aerodrome operator have no contractual link.

Furthermore, as indicated in the project of Regulation about groundhandling, suppliers of groundhandling services shall ensure that all their employees involved in the provision of groundhandling services, including regularly attend specific and recurrent training to enable them to perform the tasks assigned to them.

Groundhandling suppliers are fully responsible of their staff training and additional requirements by aerodrome operator are consequently difficult to understand

The roles and obligations of each entities involved in apron services, concerneing staff training, are not enough clearly defined by the text.

response *Noted*

comment **1015** comment by: *Turin Airport - TRN/LIMF*

An aerodrome operator can only ensure that own staff providing the services mentioned is "appropriately trained". Either amend the provision accordingly or delete ADR.OPS.D.085 entirely and modify ADR.OR.D:015 accordingly.

response *Not accepted*

Council Directive 96/67/EC, through its transposition to national laws, regulated the access to the ground handling market at Community airports. Although marshalling and leader-van service under this Directive are considered as ground handling activities, many aerodromes around Europe had decided to retain them under their direct responsibility. As these activities are directly related to flight operations, it is considered most appropriate to ensure a common and standardised training. The aerodrome operator, being responsible for the overall aerodrome operation, is the most appropriate organisation to ensure that this training is performed according to defined standards.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART A — GENERAL REQUIREMENTS (ADR.AR.A) — GM1 ADR.AR.A.010(b) Oversight documentation** p. 27

comment **1053** comment by: *Polish Regional Airports Association*

It is general notice to all AMC/GM. In Polish law only EU regulations have got direct affect on regulated issue. Decisions of EASA Executive Director (announcement of AMC, GM etc) have not direct effect. In that case these decisions have to be implemented to national level by polish regulation. Would it be possible to add AMC and GM to the regulation's text what would create situation where everything has got the same power. and no implementation at national level is required.

response *Not accepted*

EASA ED Decisions provide the means and guidance to comply with the EU law. Neither of them are binding, however, in accordance with Regulation (EU) No 139/2014, compliance with an AMC implies compliance with the respective Implementing Rule. For both AMC and GM, there is not any legal requirement to transpose them into the National Legal System of



the State.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART B — MANAGEMENT (ADR.AR.B) — AMC2 ADR.AR.B.005(a)(2) Management system** p. 27

|          |                                                                                                                                                                                                                                                                                                                               |                                                          |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| comment  | 941                                                                                                                                                                                                                                                                                                                           | comment by: <i>Federal Office of Civil Aviation FOCA</i> |
|          | FOCA suggests to change the term "aerodrome inspector" to "inspector of the Competent Authority". Reasoning: Certain arrangements within the Competent Authority would be compromised by limiting the use of available inspectors to aerodrome inspectors, especially if the apron management service is provided by an ANSP. |                                                          |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                           |                                                          |
|          | The purpose of the AMC as well as of AMC1 ADR.OPS.B.005(a)(2) is to detail the qualification and training requirements for those inspectors responsible to inspect aerodromes. This does not prevent the authority to utilise any inspector that fulfils these requirements.                                                  |                                                          |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART B — MANAGEMENT (ADR.AR.B) — AMC1 ADR.AR.B.020(c) Record keeping** p. 29

|          |                                                                                                                                      |                                |
|----------|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| comment  | 592                                                                                                                                  | comment by: <i>Belgian CAA</i> |
|          | Who has to manage the records, what competent authority? The state that issued the certificate?                                      |                                |
| response | <i>Accepted</i>                                                                                                                      |                                |
|          | The records have to be managed by the certifying Competent Authority unless there is an agreement between the Competent Authorities. |                                |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART B — MANAGEMENT (ADR.AR.B) — GM2 ADR.AR.B.020(a) Record keeping** p. 29

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| comment  | 593                                                                                                                                                                                                                                                                                                                                                                                                                                       | comment by: <i>Belgian CAA</i> |
|          | If different competent authorities are doing oversight, both authorities need the operations manual.                                                                                                                                                                                                                                                                                                                                      |                                |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |
|          | The certifying Competent Authority is responsible for the oversight unless there is an agreement between the Competent Authorities. Additionally, when an apron management services provider intends to extend its services to an aerodrome located in another Member State, it has to inform both Competent Authorities and demonstrate to the Competent Authority of the host Member State compliance of its operations manual with the |                                |



aerodrome manual (see revised ADR.OR.B.005).

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — AMC1 ADR.AR.C.010 Oversight programme** p. 29-30

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                   |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| comment  | 268                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>Nordic ADR Group (NO, SE, DK, FI, IC &amp; EE)</i> |
|          | <p>AMC1 ADR.AR.C.010(d):<br/> Aerodrome inspectors should not analyze and assess the root cause(s) identified by the aerodrome operator or provider of apron management services. This should be a part of the oversight program as stated in AMC1 ADR.AR.C.010(b). The safety goal to oversight a SMS is to ensure that the Operator/Provider follow established procedures.<br/> So, operator/provider should identify, analyze and asses the root cause(s) and aerodrome inspector should evaluate if operators assessments are adequate.</p> |                                                                   |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                   |
|          | <p>The scope of the audits is not only to verify compliance with the established procedure (this is the one part), but also to verify that the substance of the assessment is correct.</p>                                                                                                                                                                                                                                                                                                                                                       |                                                                   |
| comment  | 539                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>Swedish Transport Agency</i>                       |
|          | <p>(d) Aerodrome inspectors should not analyze and assess the root cause(s) identified by the aerodrome operator or provider of apron management services. This should be a part of the oversight program as stated in AMC1 ADR.AR.C.010(b). The safety goal to oversight a SMS is to ensure that the Operator/Provider follow established procedures.</p>                                                                                                                                                                                       |                                                                   |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                   |
|          | <p>The scope of the audits is not only to verify compliance with the established procedure (this is the one part), but also to verify that the substance of the assessment is correct.</p>                                                                                                                                                                                                                                                                                                                                                       |                                                                   |
| comment  | 594                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>Belgian CAA</i>                                    |
|          | <p>What authority is doing the follow up of corrective actions?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                   |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                   |
|          | <p>This should be done by the overseeing Competent Authority.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                   |
| comment  | 944                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>Federal Office of Civil Aviation FOCA</i>          |
|          | <p>AMC1 ADR.AR.C.010 (a): FOCA does not understand the exact meaning of this requirement. Is it always the same inspector who is in charge / who performs the oversight?</p>                                                                                                                                                                                                                                                                                                                                                                     |                                                                   |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                   |
|          | <p>Point (a) requires from the Competent Authority to assign a focal point to liaise between the Authority and the aerodrome operator or the provider of apron management services. The responsibilities of this person are explained in the same paragraph. The Competent Authority</p>                                                                                                                                                                                                                                                         |                                                                   |



may also assign more than one aerodrome inspector to an aerodrome operator or a provider of apron management services.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — AMC1 ADR.AR.C.010(b);(c) Oversight programme** p. 30

comment 595 comment by: *Belgian CAA*  
 What authority is responsible for reviewing the oversight planning cycle?

response *Accepted*  
 The Certifying Competent Authority.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — AMC2 ADR.AR.C.010(b);(c) Oversight programme** p. 31

comment 203 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre*  
 This AMC, again, shows the inconsistency of the document in mentioning the self-declaration.  
 As commented on above, the document should be reviewed with regards to the mention of declarations of AMSPs.

response *Noted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — GM1 ADR.AR.C.010(b) Oversight programme** p. 31

comment 338 comment by: *Aena*  
 Add "and planning cycle" after "oversight programme".

response *Noted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — AMC1 ADR.AR.C.035(b)(2) Issuance of certificates** p. 32

comment 451 ❖ comment by: *DGAC France*  
**Issuance of certificates**  
**Level 1 - Fundamental comment**



The certificate model should be in part GM and not in part IR. Making the proposed model mandatory is very prescriptive and brings nothing. Furthermore, certificate models for aerodrome operators are GM, and there is no reason to make a difference with AMS providers.

Should the certificate mention the list of the several aerodromes where the AMS provider operates, or should a certificate be issued for each aerodrome ? This should be clarified in the rules. The text seems to contradict itself, as **AMC1 ADR.AR.C.035(b)(2)** (c) requires the certificate to list the several aerodromes, as well as **AMC1 ADR.OR.B.020 (b)(1);(2);(3)** which requires the applicant to provide a list of the aerodromes where the services will be provided, whereas **Appendix I of Subpart ADR.AR.A** (certificate model) mentions "NAME OF THE AERODROME" in the singular. So, appendix I contradicts both AMCs, and should be amended to mention the "name of aerodromes".

Moreover, the possibility of issuing two separate certificate concerns aerodrome operators, as stated in **ADR.AR.C.035**, new (b)(1), and has nothing to do with AMS providers. That's why **AMC1 ADR.AR.C.035 (b)(2)** entitled "ISSUANCE OF SEPARATE CERTIFICATES" should not be amended with provisions relating to AMS providers (irrelevant). A possibility would be to create a new AMC dedicated to AMS providers.

Besides, as ADR.AR.C.035 (b)(2) has become (b)(1), title of the corresponding AMC and GM should be modified to reflect this.

It is therefore proposed to amend the corresponding rules as follows :

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

[...]

(b) The Competent Authority shall issue either:

[...]

(2) when applicable, a certificate for the provider of apron management services, ~~as prescribed in Appendix I to this Part.~~

#### **APPENDIX I GM1 ADR.AR.C.035(b)(2) Issuance of certificates – apron management services provider**

##### MODEL FOR THE CERTIFICATE

[...]

is authorised to provide apron management services at [NAME OF THE AERODROME(S)]

[...]

#### **GM1 ADR.AR.C.035(b)(1) Issuance of certificates – aerodrome operator**

##### MODEL FOR THE SINGLE CERTIFICATE

[...]

#### **AMC1 ADR.AR.C.035(b)(2)(1) Issuance of certificates – aerodrome operator**

##### ISSUANCE OF SEPARATE CERTIFICATES

[...]

~~(c) In case that an aerodrome operator or a provider of apron management services operates or provides services at several aerodromes, these should be listed on the aerodrome operator's or the provider of apron management services certificate.~~

#### **GM1 ADR.AR.C.035(b)(2)(1) Issuance of certificates – aerodrome operator**

##### MODEL FOR TWO SEPARATE CERTIFICATES

[...]

#### **AMC1 ADR.AR.C.035(b)(2) Issuance of certificates – apron management services provider**

In case that an aerodrome operator or a provider of apron management services operates or provides services at several aerodromes, these should be listed on the aerodrome operator's or the provider of apron management services certificate.

response *Partially accepted*



The provider of apron management services, differently from the aerodrome operator, can use its certificate to provide services at several aerodromes, even in different Member States. According to Article 11 of the Basic Regulation, the certificates are mutually recognised. For that reason, it is more appropriate to have a standardised form for the certificate.

In addition to the model certificate, the model of the terms of the certificate has also been proposed, which lists the aerodromes where apron management is provided by the provider.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — AMC1 ADR.AR.C.035(c) Issuance of certificates** p. 32-33

|          |                                                                                                                                                                                                                                                                                                               |                               |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| comment  | 6                                                                                                                                                                                                                                                                                                             | comment by: <i>Jan Loncke</i> |
|          | <p>AMC1 ADR.AR.C.035(c) (3) :<br/>         typo : to delete the " E "</p> <p>(3) review the aerodrome manual or, for providers of apron management services, the operations manual, which should be prepared in accordance with ADR.OR.DE.005, and any other documentation provided by the applicant; and</p> |                               |
| response | <p><i>Accepted</i></p> <p>The text has been corrected.</p>                                                                                                                                                                                                                                                    |                               |

|          |                                                                                                                                                                                                                                             |                                |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| comment  | 458                                                                                                                                                                                                                                         | comment by: <i>DGAC France</i> |
|          | <p><b>AMC1 ADR.AR.C.035(c) Issuance of certificates</b><br/> <b>Level 3 – Typographical mistake</b></p> <p>There is an editorial mistake in this AMC : in point (3), the reference "ADR.OR.DE.005" shall be replaced by "ADR.OR.D.005".</p> |                                |
| response | <p><i>Accepted</i></p> <p>The text has been corrected.</p>                                                                                                                                                                                  |                                |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX II — Part Authority Requirements — Aerodromes (Part ADR.AR) — SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.C) — AMC1 ADR.AR.C.040(a);(f) Changes** p. 34

|          |                                                                                                                                                                         |                                                                                                                                              |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 120                                                                                                                                                                     | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | <p>(d) Replace "agreement" by "Letter of Intent" The Aerodrome operator cannot already sign an agreement with a non-certified provider of apron management service.</p> |                                                                                                                                              |
| response | <p><i>Noted</i></p>                                                                                                                                                     |                                                                                                                                              |
| comment  | 231                                                                                                                                                                     | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |



|          |                                                                                                                                                                                                                                                                                                                       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | paragraph (d)<br>Include "... and the AMSP's facilities" in the last line.                                                                                                                                                                                                                                            |
| response | <i>Accepted</i><br><br>The text has been revised to include the provider of apron management services facilities as well.                                                                                                                                                                                             |
| comment  | 296 <span style="float: right;">comment by: <i>Avinor</i></span><br><br>The last sentence of the paragraph omits providers of apron management services. Insert "or the provider of apron management services" before "facilities" in the last line of the paragraph.                                                 |
| response | <i>Accepted</i><br><br>The text has been revised to include the provider of apron management services facilities as well.                                                                                                                                                                                             |
| comment  | 408 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span><br><br>(d): The last sentence of the paragraph omits providers of apron management services. Insert "or the provider of apron management services" before "facilities" in the last line of the paragraph.       |
| response | <i>Accepted</i><br><br>The text has been revised to include the provider of apron management services facilities as well.                                                                                                                                                                                             |
| comment  | 540 <span style="float: right;">comment by: <i>Swedish Transport Agency</i></span><br><br>(d) Insert "or the provider of apron management services" before "facilities" in the last line.                                                                                                                             |
| response | <i>Accepted</i><br><br>The text has been revised to include the provider of apron management services facilities as well.                                                                                                                                                                                             |
| comment  | 596 <span style="float: right;">comment by: <i>Belgian CAA</i></span><br><br>In case of different authorities, which authority is responsible for this?                                                                                                                                                               |
| response | <i>Noted</i><br><br>This is the responsibility of the certifying Competent Authority.                                                                                                                                                                                                                                 |
| comment  | 805 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span><br><br>The last sentence of the paragraph omits providers of apron management services. Insert "or the provider of apron management services" before "facilities" in the last line of the paragraph. |



response *Accepted*

The text has been revised to include the provider of apron management services facilities as well.

comment 867 comment by: *ENAC Ente Nazionale per l'Aviazione Civile (Italia)*

(d)  
A change to the text of the point (d) last sentence is proposed: If required for verification, the audit should include additional interviews and inspections carried out at the aerodrome operator's or at the provider of apron management services' facilities.

response *Accepted*

The text has been revised to include the provider of apron management services facilities as well.

comment 948 comment by: *Federal Office of Civil Aviation FOCA*

AMC1 ADR.AR.C.040 (a);(f) (a): FOCA does not support the role of the Competent Authority of further assessing the qualification of the nominee. It cannot be the task of the Competent Authority to be involved in an employment process/issues of an aerodrome operator.

response *Noted*

The provision has already been accepted for the aerodrome operator and it is extended to the provider of apron management services.

comment 1016 comment by: *Turin Airport - TRN/LIMF*

The last sentence of the paragraph omits providers of apron management services. Insert "or the provider of apron management services'" before "facilities" in the last line of the paragraph.

response *Accepted*

The text has been revised to include the provider of apron management services facilities as well.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART B — CERTIFICATION (ADR.OR.B) — AMC1 ADR.OR.B.020 (b)(1);(2);(3) Application for a certificate — providers of apron management services**

p. 35

comment 60 comment by: *Flughafen Berlin Brandenburg GmbH*

We appreciate this requirement and believe that it is necessary in order to allow aerodrome operators to fulfil their role as promoters of overall safety and to ensure a minimum quality of service.  
Nonetheless, the requirement of (b)(3) might cause a circular reference: The tendering



organisation (in most cases the aerodrome operator) might want to obtain an agreement only with adequately certified apron management services providers. But the apron management service provider, in turn, requires an agreement with the aerodrome operator for the further application procedure.  
Hence, for clarification, replace "agreement with the aerodrome operator" by "agreement or preliminary agreement with the aerodrome operator."

response *Accepted*

The text has been revised as proposed.

comment 299

comment by: *Avinor*

We appreciate this requirement and believe that it is necessary in order to allow aerodrome operators to fulfil their role as promoters of overall safety and to ensure a minimum quality of service.

response *Accepted*

comment 409

comment by: *ACI EUROPE (Airports Council International)*

Section (b)(3): We appreciate this requirement and believe that it is necessary in order to allow aerodrome operators to fulfil their role as promoters of overall safety and to ensure a minimum quality of service.

response *Accepted*

comment 807

comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

We appreciate this requirement and believe that it is necessary in order to allow aerodrome operators to fulfil their role as promoters of overall safety and to ensure a minimum quality of service.

response *Accepted*

comment 1017

comment by: *Turin Airport - TRN/LIMF*

We appreciate this requirement and believe that it is necessary in order to allow aerodrome operators to fulfil their role as promoters of overall safety and to ensure a minimum quality of service.

response *Accepted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART B — CERTIFICATION (ADR.OR.B) — GM1 ADR.OR.B.040(b);(c) Changes**

p. 37

comment 467

comment by: *DGAC France*

**GM1 ADR.OR.B.040(b);(c) Changes CHANGES REQUIRING PRIOR APPROVAL — PROVIDER**



**OF APRON MANAGEMENT SERVICES****Level 2 – Suggestion for clarification**

A conditional writing using “may” should be preferred, as being more relevant for guidance material.

The following is a list of items requiring which may be granted prior approval by the Competent Authority, as specified in the applicable Implementing Rules:  
[...]

response *Partially accepted*

The text reads as follows:

‘The following is a list of items which should be granted ...’

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART B — CERTIFICATION (ADR.OR.B) — AMC1 ADR.OR.B.070 Termination of operation — provider of apron management services**

p. 37

comment 470 ❖

comment by: DGAC France

**Termination of operation — providers of apron management services****Level 1 - Fundamental comment**

According to ICAO chapter 9.5, AMS should be provided if justified by traffic volume or operating conditions. It is not a requirement in all circumstances. If these conditions are not fulfilled any more, the AMS provider may terminate its operation without a new provider being needed at the aerodrome.

Moreover, the aerodrome operator is not always the one who decides on the need to provide AMS on the aerodrome. In France for example, AMS are provided by the national ANSP, which is not under control of the aerodrome operator, even if both have an agreement.

Furthermore, the IR and the AMC contradict each other, as the IR requires the aerodrome operator to inform the aeronautical information service, whereas the AMC requires the AMS provider to do so.

It is therefore proposed to modify ADR.OR.B.070 as follows :

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

[...]

(b) The aerodrome operator shall:

(1) take appropriate measures to ensure the uninterrupted provision of apron management services at the aerodrome; that safety risks resulting from the termination of operation have been assessed and mitigated.

(2)(c) The provider of apron management services shall provide such information to the appropriate Aeronautical Information Service provider.

**AMC1 ADR.OR.B.070 Termination of operation — provider of apron management services**  
**TERMINATION OF OPERATION**

In case of intended termination of the provision of apron management services, the provider of apron management services should notify, in writing, the Competent Authority, the Aeronautical Information Service and the aerodrome operator. The notification should be done in such time in advance, so as to enable the aerodrome operation to take the appropriate measures to be taken for the continuation of the service if deemed necessary, to



|          |                                                                                                                                                                                         |                                                            |
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|          | allow for the timely publication of the changes, and their notification by the Aeronautical Information Regulation and Control (AIRAC) system in accordance with the related timeframe. |                                                            |
| response | <i>Accepted</i>                                                                                                                                                                         | Concerning the AMC, the text has been revised as proposed. |
| comment  | 950                                                                                                                                                                                     | comment by: <i>Federal Office of Civil Aviation FOCA</i>   |
|          | "Should" to be replaced by "shall" in order to underline the mandatory character.                                                                                                       |                                                            |
| response | <i>Not accepted</i>                                                                                                                                                                     | This is an AMC where 'shall' is not used.                  |

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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART C — ADDITIONAL RESPONSIBILITIES (ADR.OR.C) — AMC1 ADR.OR.C.020(b) Findings</b> | p. 38 |
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| comment  | 37                                                                                                                                                                                                                                                       | comment by: <i>CAA-NL</i>               |
|          | <u>Subpart c – additional requirements:</u><br>The heading of subpart C should be the same as the heading of subpart C in the Implementing Rules being: <i>Additional aerodrome operator and provider of apron management services responsibilities.</i> |                                         |
| response | <i>Accepted</i>                                                                                                                                                                                                                                          | The title has been revised as proposed. |

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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC1 ADR.OR.D.005(b)(1) Management system</b> | p. 38 |
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| comment  | 357                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Aéroports De Lyon</i>                                                                                              |
|          | <b>AMC1 ADR.OR.D.005(b)(1)</b><br>In less complex aerodrome organisations/operations or providers of apron management services, the aerodrome operator <b>or</b> the provider of apron management services should nominate a person who fulfils the role of safety manager, and who is responsible for coordinating the safety management system.<br><a href="#">Commentaire</a> : Cela signifie-t-il qu'il pourrait y avoir un seul RSGS au lieu de 2 (Un pour l'exploitant et un pour le fournisseur d'AMS)? |                                                                                                                                   |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | In less complex organisations, it is not required to establish a safety services office, rather than appointing a safety manager. |



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| comment  | 471                                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>DGAC France</i>                           |
|          | <p><b>AMC1 ADR.OR.D.005(b)(1) Management system</b><br/> <b>Level 3 – Typographical mistake</b><br/> Editorial comment : in (a)(1), the reference “AMC1 ADR.D.016(c)” shall be replaced by “AMC1 ADR.<b>OR</b>.D.016(c)”.</p>                                                                                                                                                   |                                                          |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                 |                                                          |
| comment  | 555                                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>CAA Austria - Ministry of Transport</i>   |
|          | <p>We propose to crosscheck subpart D (Management system) proposals and terminologies with ICAO Annex 19.</p>                                                                                                                                                                                                                                                                   |                                                          |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                    |                                                          |
| comment  | 955                                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>Federal Office of Civil Aviation FOCA</i> |
|          | <p>"The safety management system of an aerodrome operator or a provider of apron management services should encompass safety by establishing an organisational structure for the management of safety proportionate and appropriate to the size of the aerodrome operator....". What does "proportionate and appropriate" mean? This requirement needs to be substantiated.</p> |                                                          |
| response | <p><i>Noted</i></p> <p>It means that the size of the organisation and the type and extent of operations should be considered.</p>                                                                                                                                                                                                                                               |                                                          |

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| <p><b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — GM1 ADR.OR.D.005(b)(3) Management system</b></p> | p. 39 |
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| comment  | 61                                                                           | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>           |
|          | <p>Misspelling. Replace "depends" by "depend" in (a)(3), first sentence.</p> |                                                                |
| response | <i>Accepted</i>                                                              |                                                                |
| comment  | 305                                                                          | comment by: <i>Avinor</i>                                      |
|          | <p>Misspelling. Replace "depends" with "depend".</p>                         |                                                                |
| response | <i>Accepted</i>                                                              |                                                                |
| comment  | 410                                                                          | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | <p>(a)(3): Misspelling. Replace "depends" with "depend".</p>                 |                                                                |
| response | <i>Accepted</i>                                                              |                                                                |



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| comment  | 808                                           | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | Misspelling. Replace "depends" with "depend". |                                                                           |
| response | <i>Accepted</i>                               |                                                                           |

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| comment  | 957                                                                                                                                                                                                                   | comment by: <i>Federal Office of Civil Aviation FOCA</i> |
|          | Not in line with Regulation (EU) No 1034/2011 and No 1035/2011. For both ANSP and the Competent Authority it is important to use the same set of rules , at least for AMS staff providing direct service to aircraft. |                                                          |
| response | <i>Noted</i>                                                                                                                                                                                                          |                                                          |

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| comment  | 1018                                          | comment by: <i>Turin Airport - TRN/LIMF</i> |
|          | Misspelling. Replace "depends" with "depend". |                                             |
| response | <i>Accepted</i>                               |                                             |

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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — GM1 ADR.OR.D.005(b)(4) Management system</b> | p. 39 |
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| comment  | 90                                                                                                                                                          | comment by: <i>Flughafen Berlin Brandenburg GmbH</i> |
|          | Second line from the bottom of the paragraph: Insert "/provider" after "operator" to ensure that providers for apron management services are also included. |                                                      |
| response | <i>Accepted</i>                                                                                                                                             |                                                      |
|          | The text has been revised.                                                                                                                                  |                                                      |

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| comment  | 236                                                                                                                                                                                                                                                                                                                                                                | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | Add "provider of apron management service" to the last sentence to make it consistent: "The definition and final construction of the matrix should be left to the operator or provider of apron management services to design, be documented in the aerodrome manual or operations manual respectively, and be subject to an approval by the Competent Authority." |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
|          | Text revised                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                              |

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| comment  | 306                                                                                                                                                         | comment by: <i>Avinor</i> |
|          | Second line from the bottom of the paragraph: Insert "/provider" after "operator" to ensure that providers for apron management services are also included. |                           |
| response | <i>Accepted</i>                                                                                                                                             |                           |



|          |                                                                                                                                                                                                                                                                                                                     |                                                                           |
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|          | The text has been revised.                                                                                                                                                                                                                                                                                          |                                                                           |
| comment  | 411                                                                                                                                                                                                                                                                                                                 | comment by: <i>ACI EUROPE (Airports Council International)</i>            |
|          | Second line from the bottom of the paragraph: Insert "/provider" after "operator" to ensure that providers for apron management services are also included.                                                                                                                                                         |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                     |                                                                           |
|          | The text has been revised.                                                                                                                                                                                                                                                                                          |                                                                           |
| comment  | 769                                                                                                                                                                                                                                                                                                                 | comment by: <i>HIA - Highlands and Islands Airports Limited</i>           |
|          | Safety risk, hazard identification, definitions and risk matrix are documented in our Safety Management Systems (SMS) Manual.<br>Currently the Aerodrome Manual forms part of the SMS Manual document structure and we would envisage the Operations Manual being the same, with a reference out to the SMS Manual. |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                        |                                                                           |
| comment  | 809                                                                                                                                                                                                                                                                                                                 | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | Second line from the bottom of the paragraph: Insert "/provider" after "operator" to ensure that providers for apron management services are also included.                                                                                                                                                         |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                     |                                                                           |
|          | The text has been revised.                                                                                                                                                                                                                                                                                          |                                                                           |
| comment  | 868                                                                                                                                                                                                                                                                                                                 | comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i>    |
|          | A change to the text of the GM last sentence is proposed: The definition and final construction of the matrix should be left to the operator/ <u>provider</u> to design, be documented in the aerodrome manual or operations manual respectively, and be subject to an approval by the Competent Authority.         |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                     |                                                                           |
|          | The text has been revised.                                                                                                                                                                                                                                                                                          |                                                                           |
| comment  | 958                                                                                                                                                                                                                                                                                                                 | comment by: <i>Federal Office of Civil Aviation FOCA</i>                  |
|          | Not in line with Regulation (EU) No 1034/2011 and No 1035/2011. For both ANSP and the Competent Authority it is important to use the same set of rules , at least for AMS staff providing direct service to aircraft.                                                                                               |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                        |                                                                           |
| comment  | 1019                                                                                                                                                                                                                                                                                                                | comment by: <i>Turin Airport - TRN/LIMF</i>                               |



|          |                                                                                                                                                             |
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|          | Second line from the bottom of the paragraph: Insert "/provider" after "operator" to ensure that providers for apron management services are also included. |
| response | <i>Accepted</i><br>The text has been revised.                                                                                                               |

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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC1 ADR.OR.D.005(b)(9) Management system</b> | p. 40 |
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| comment  | 358                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>Aéroports De Lyon</i>                     |
|          | <p><b>AMC1 ADR.OR.D.005(b)(9) Management system</b><br/>SAFETY MANAGEMENT SYSTEM TRAINING — PROVIDERS OF APRON MANAGEMENT SERVICES</p> <p>(a) The provider of apron management services should establish a safety management system training programme for <b>its personnel</b> involved in the provision of the service, including all management personnel (e.g. supervisors, managers, senior managers, and the accountable manager), regardless of their level in the organisation.</p> <p><a href="#">Commentaire : Pourquoi cet article s'applique-t-il « au personnel » (d'une manière générale) pour l'exploitant (voir ADR.OR.D017(a)) alors que le champ est restreint à « son personnel » pour le fournisseur d'AMS ?</a></p> |                                                          |
| response | <i>Noted</i><br>The aerodrome operator has to consider all the staff involved in the operation of the aerodrome, however, the provider of apron management services has to provide the training only to its staff.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                          |
| comment  | 959                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>Federal Office of Civil Aviation FOCA</i> |
|          | "Should" to be replaced by "shall" to underline the mandatory character of the provision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                          |
| response | <i>Not accepted</i><br>This is an AMC where 'shall' is not used.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                          |

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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC1 ADR.OR.D.005(b)(1112) Management system</b> | p. 41-42 |
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| comment  | 91                                                                                                                                                                   | comment by: <i>Flughafen Berlin Brandenburg GmbH</i> |
|          | (b)(1) second last line omits providers of apron management services. Insert "or the provider of apron management services respectively" after "aerodrome operator". |                                                      |
| response | <i>Accepted</i><br>The text has been revised accordingly.                                                                                                            |                                                      |



|          |                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
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| comment  | 92                                                                                                                                                                                                                                                                                                                | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>                                                                                         |
|          | (d)(1) Second and last line do not clearly address providers of apron management services. Pls. clarify/amend text.                                                                                                                                                                                               |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
|          | The text has been revised accordingly.                                                                                                                                                                                                                                                                            |                                                                                                                                              |
| comment  | 152                                                                                                                                                                                                                                                                                                               | comment by: <i>CAA Austria - Ministry of Transport</i>                                                                                       |
|          | Regard to point (e) (4-5). We propose an adaptation to NPA 08-2013 concerning the time schedule for ongoing oversight audits.                                                                                                                                                                                     |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                      |                                                                                                                                              |
|          | The approach followed is the same with the aerodrome operator.                                                                                                                                                                                                                                                    |                                                                                                                                              |
| comment  | 237                                                                                                                                                                                                                                                                                                               | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | Make sure that all provisions (especially b.1, d.1) containing "operator" are extended by "provider" to be consistent.                                                                                                                                                                                            |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
| comment  | 239                                                                                                                                                                                                                                                                                                               | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | Check references: change ADR.D.015 (a) to ADR.OR.D.015 (a)                                                                                                                                                                                                                                                        |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
| comment  | 307                                                                                                                                                                                                                                                                                                               | comment by: <i>Avinor</i>                                                                                                                    |
|          | (b)(1) second last line omits providers of apron management services. Insert "or the provider of apron management services respectively" after "aerodrome operator".                                                                                                                                              |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
|          | The text has been revised accordingly.                                                                                                                                                                                                                                                                            |                                                                                                                                              |
| comment  | 308                                                                                                                                                                                                                                                                                                               | comment by: <i>Avinor</i>                                                                                                                    |
|          | (d)(1) second last and last line omit providers of apron management services. 'Amend to "In order to achieve significant outcomes of such training, the operator/provider should ensure that all personnel understand the objectives as laid down in the operator's/provider's management system documentation.". |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
|          | The text has been revised accordingly.                                                                                                                                                                                                                                                                            |                                                                                                                                              |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                 |
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| comment  | 412                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: ACI EUROPE (Airports Council International)         |
|          | (b)(1) second last line omits providers of apron management services. Insert "or the provider of apron management services respectively" after "aerodrome operator".                                                                                                                                                                                                                                                       |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                 |
|          | The text has been revised accordingly.                                                                                                                                                                                                                                                                                                                                                                                     |                                                                 |
| comment  | 413                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: ACI EUROPE (Airports Council International)         |
|          | (d)(1) second last and last line omit providers of apron management services. 'Amend to "In order to achieve significant outcomes of such training, the operator/provider should ensure that all personnel understand the objectives as laid down in the operator's/provider's management system documentation.".                                                                                                          |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                 |
|          | The text has been revised accordingly.                                                                                                                                                                                                                                                                                                                                                                                     |                                                                 |
| comment  | 869                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: ENAC Ente Nazionale per l'Aviazione Civile (Italia) |
|          | A change to the text of the AMC last sentence is proposed: In the case the person responsible for the compliance monitoring acts also as safety manager, the accountable manager should ensure that sufficient resources are allocated to both functions, taking into account the size of the aerodrome operator <u>or of the provider of apron management services</u> , and the nature and complexity of its activities. |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                 |
|          | The text has been revised accordingly.                                                                                                                                                                                                                                                                                                                                                                                     |                                                                 |
| comment  | 872                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: ENAC Ente Nazionale per l'Aviazione Civile (Italia) |
|          | A change to the text of the AMC last sentence is proposed: In order to achieve significant outcomes of such training, the operator/ <u>provider</u> should ensure that all personnel understand the objectives as laid down in the operator's/ <u>provider's</u> management system documentation.                                                                                                                          |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                 |
|          | The text has been revised accordingly.                                                                                                                                                                                                                                                                                                                                                                                     |                                                                 |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT p. 42-43 (ADR.OR.D) — AMC2 ADR.OR.D.005(b)(1112) Management system**

|         |                                                   |                         |
|---------|---------------------------------------------------|-------------------------|
| comment | 472                                               | comment by: DGAC France |
|         | <b>AMC2 ADR.OR.D.005(b)(12) Management system</b> |                         |
|         | <b>Level 3 – Typographical mistake</b>            |                         |
|         | This is an editorial comment :                    |                         |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>- (a)(2) should be completed with references to ADR.OR.D.016 (instead of ADR.OR.D.015) as regards provider of apron management services ;</p> <p>- (b) should be modified to indicate that it only applies to <b>aerodrome operators</b>.</p>                                                                                                                                                                                                                                                                                                                                                                            |
| response | <p><i>Noted</i></p> <p>The AMC refers to both the aerodrome operator and the provider of apron management services, and text has been revised to include also references to ADR.OR.D.016.</p>                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>810 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span></p> <p>(b)(1) second last line omits providers of apron management services. Insert "or the provider of apron management services respectively" after "aerodrome operator".</p> <p>(d)(1) second last and last line omit providers of apron management services. 'Amend to "In order to achieve significant outcomes of such training, the operator/provider should ensure that all personnel understand the objectives as laid down in the operator's/provider's management system documentation."</p> |
| response | <p><i>Accepted</i></p> <p>The comment refers to AMC1 and text has been revised accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>877 <span style="float: right;">comment by: <i>HIA - Highlands and Islands Airports Limited</i></span></p> <p>Item (e) The audit scheduling is documented in our Safety Management Systems Manual. Currently the Aerodrome Manual forms part of the SMS Manual document structure. We would envisage the Operations Manual being the same, with a reference out to the SMS Manual.</p>                                                                                                                                                                                                                                   |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | <p>1020 <span style="float: right;">comment by: <i>Turin Airport - TRN/LIMF</i></span></p> <p>(b)(1) second last line omits providers of apron management services. Insert "or the provider of apron management services respectively" after "aerodrome operator".</p> <p>(d)(1) second last and last line omit providers of apron management services. 'Amend to "In order to achieve significant outcomes of such training, the operator/provider should ensure that all personnel understand the objectives as laid down in the operator's/provider's management system documentation."</p>                              |
| response | <p><i>Accepted</i></p> <p>The comment refers to AMC1 and text has been revised accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT p. 43-44 (ADR.OR.D) — AMC1 ADR.OR.D.005(c) Management system**

|         |                                                                                                                                                                                              |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment | <p>93 <span style="float: right;">comment by: <i>Flughafen Berlin Brandenburg GmbH</i></span></p> <p>Amend reference in second line of (c) and delete space between "ADR" and "OR.D.016"</p> |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



|          |                                                                                                                                                                                                        |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <i>Accepted</i><br>The references have been corrected.                                                                                                                                                 |
| comment  | 238 comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i><br>Check references: change OR.D.016 to ADR.OR.D.016. |
| response | <i>Accepted</i><br>The references have been corrected.                                                                                                                                                 |
| comment  | 415 comment by: <i>ACI EUROPE (Airports Council International)</i><br>(c) Wrong reference. Amend "ADR OR.D.016" to "ADR.OR.D.016".                                                                     |
| response | <i>Accepted</i><br>The references have been corrected.                                                                                                                                                 |
| comment  | 811 comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i><br>Wrong reference. Amend "ADR OR.D.016" to "ADR.OR.D.016".                                                              |
| response | <i>Accepted</i><br>The references have been corrected.                                                                                                                                                 |
| comment  | 1021 comment by: <i>Turin Airport - TRN/LIMF</i><br>Wrong reference. Amend "ADR OR.D.016" to "ADR.OR.D.016".                                                                                           |
| response | <i>Accepted</i><br>The references have been corrected.                                                                                                                                                 |

|                                                                                                                                                                                                                             |       |
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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC2 ADR.OR.D.005(c) Management system</b> | p. 44 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|

|          |                                                                                           |
|----------|-------------------------------------------------------------------------------------------|
| comment  | 309 comment by: <i>Avinor</i><br>Wrong reference. Amend "ADR OR.D.016" to "ADR.OR.D.016". |
| response | <i>Accepted</i><br>The comment refers to AMC1, and the references have been corrected.    |

|                                                                                                                                                                         |       |
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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT</b> | p. 44 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|



**(ADR.OR.D) — GM1 ADR.OR.D.005(c) Management system**

|          |                                                                                                                                                                                                                                             |                                                                 |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| comment  | 878                                                                                                                                                                                                                                         | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|          | Currently our Aerodrome Manuals are considered to be part of our Safety Management Systems Manual.<br>We would envisage the Operations Manual being the same, with a reference out to the SMS Manual to follow the same document structure. |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                |                                                                 |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC1 ADR.OR.D.015(c) Personnel requirements — aerodrome operator**
p. 44

|          |                                                                                                                      |                                                                 |
|----------|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| comment  | 879                                                                                                                  | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|          | Item (d) In the case of less complex aerodrome operations the safety manager may be the accountable manager - agree. |                                                                 |
| response | <i>Noted</i>                                                                                                         |                                                                 |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC1 ADR.OPS.D.016(a) Personnel requirements — provider of apron management services**
p. 45-46

|          |                                                                                                                                                                                                                                               |                                                          |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| comment  | 473                                                                                                                                                                                                                                           | comment by: <i>DGAC France</i>                           |
|          | <b>AMC1 ADR.OPS.D.016(a) Personnel requirements - provider of apron management services</b><br><b>Level 3 – Typographical mistake</b><br>This is an editorial comment : the title of this AMC should be <b>OR.D.016</b> instead of OPS.D.016. |                                                          |
| response | <i>Accepted</i><br>The editorial error has been corrected.                                                                                                                                                                                    |                                                          |
| comment  | 929                                                                                                                                                                                                                                           | comment by: <i>The Civil Aviation Authority</i>          |
|          | Obvious formal error: AMC1 refers to ADR.OR.D.016(a) Personnel requirements.                                                                                                                                                                  |                                                          |
| response | <i>Accepted</i><br>The editorial error has been corrected.                                                                                                                                                                                    |                                                          |
| comment  | 961                                                                                                                                                                                                                                           | comment by: <i>Federal Office of Civil Aviation FOCA</i> |
|          | AMC1 ADR.OPS.D.016 (a) (a) 1:FOCA suggests to change to "The account manager <b>shall</b> ...."                                                                                                                                               |                                                          |
| response | <i>Not accepted</i>                                                                                                                                                                                                                           |                                                          |



The general responsibilities of the accountable manager are established under ADR.OR.D.016(a). The details have been included in this AMC where the word 'shall' cannot be used.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — GM1 ADR.OR.D.016(a) Personnel requirements — provider of apron management services**

p. 46

|          |                                                                                                                                                                                                                                           |                               |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| comment  | 7                                                                                                                                                                                                                                         | comment by: <i>Jan Loncke</i> |
|          | <p>GM1 ADR.OR.D.016(a)<br/>         typo :<br/>         to delete "OPS" and replace by "OR" :<br/>         "The guidance included in GM1 ADR.<b>OR</b>.OPS.D.015 (a) - Personnel requirements - aerodrome operator may also be used."</p> |                               |
| response | <p><i>Accepted</i></p> <p>The editorial error has been corrected.</p>                                                                                                                                                                     |                               |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC1 ADR.OR.D.016(c) Personnel requirements — provider of apron management services**

p. 47

|          |                                                                                                                             |                                                                 |
|----------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| comment  | 880                                                                                                                         | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|          | <p>Item (d) In the case of less complex aerodrome operations the safety manager may be the accountable manager - agree.</p> |                                                                 |
| response | <p><i>Noted</i></p>                                                                                                         |                                                                 |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC1 ADR.OR.D.016(d) Personnel requirements — provider of apron management services**

p. 47

|          |                                                                                                                                                                                                                                                                                                       |                                                                   |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| comment  | 270                                                                                                                                                                                                                                                                                                   | comment by: <i>Nordic ADR Group (NO, SE, DK, FI, IC &amp; EE)</i> |
|          | <p>ADR.OR.D.016(d):<br/>         The AMC states that providers themselves should determine required personnel qualifications. If so, ADR.OR.D.016 becomes obsolete. If there is a requirement for training, the requirement should be stated in the regulation otherwise it is not a requirement.</p> |                                                                   |
| response | <p><i>Not accepted</i></p> <p>ADR.OR.D.016(d) refers to the number of staff required to perform the task according to the requirements, as well as to their qualifications. The training requirements are established in</p>                                                                          |                                                                   |



ADR.OR.D.016(f).

comment 881 comment by: *HIA - Highlands and Islands Airports Limited*

Item (b) The provider of apron management services should determine the required personnel qualification, in accordance with the applicable requirements (and national EU legislation if applicable) - agree.

response *Noted*

comment 963 comment by: *Federal Office of Civil Aviation FOCA*

This requirement should be placed on the level of the hard law (Regulation), not the soft law (AMC).

response *Not accepted*

High-level requirements have been included in the Implementing Rule. The means to comply have been included in the AMC.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC1 ADR.OR.D.018 (a);(b) Training and proficiency check programmes — provider of apron management services** p. 48-49

comment 153 comment by: *CAA Austria - Ministry of Transport*

For ATS the training programs (UTP, UCP) has to approved by CA. Should be similar for apron management service.

response *Noted*

The proposal is the same as with the aerodrome operator where the training programme has to be included in the operations manual which is one of the prerequisites in order for an apron management service provider to be certified.

comment 202 comment by: *Union des Aéroports français - UAF*

Attachment [#143](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.

Références

ADR.OR.D.005 (8) (9) Management system (training)

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

o AMC1.ADR.OR.D.018 (a) (b) Training and proficency check programmes – providers of apron management services

ADR.OPS.D.085 Training



## Commentaires

Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.

La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les sociétés d'assistance en escale).

En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).

Enfin l'ADR.OPS.D085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.

## Courtesy translation

## Training

## Comments

The requirements of training defined by rules will create several difficulties.

The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).

Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services"

There is clearly an overlapping area between both training programs. Is it about the same training program?

Finally the ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler

response *Not accepted*

This article is only applicable to the provider of apron management services. If such a provider has not been established, then the training should be part of the training of the aerodrome operator or the air traffic services provider, depending on their activities in relation to apron management.

comment 344

comment by: Aena

In the case of ATS and apron joint provision, training programs and competence verification could be unique, avoiding duplicity. It would be also recommendable that requirements with relation to apron management would be deemed as included within ATS.

response *Accepted*

For this case, a new point (e) has been included in ADR.OR.D.018, allowing the air traffic services provider to make use of its existing training and proficiency check programmes.



comment

705

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#144](#)

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

┆ ADR.AR.C035 (b)(1) et (d) Issuance of certificates

┆ ADR.OPS.D.001 Provision of services

┆ ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car Il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)

- ADR.OR.C.030 Occurrence reporting (c)

- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services

- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)

- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)

- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir selon quels critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)

- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)

- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs)

(ADR.OPS.D035), Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de soustraction.

3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement



de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicated so that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management on all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on which criteria an apron management unit should be implemented

2/ Can we have several apron management units on an aerodrome?

ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by ADR.AR.C035 ( b ) ( 1 ) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an apron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,

ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be added, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The need of commensurate measures with the size, the traffic, the category and the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if ADR.OPS.D001 gives a flexibility as for the application of these rules, but without defining any criterion for its application

response *Noted*



comment

730

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#145](#)**Répartition des missions, responsabilités et principe de sécurité juridique**

Répartition des missions, responsabilités et principe de sécurité juridique

Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

Références

┆ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services

o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs

┆ ADR.OR.D.032 Safety reporting system - providers of apron management services

┆ ADR.OPS.D.001 Provision of services

o GM1 ADR.OPS.D.001 Provision of services

┆ ADR.OPS.D.005 Functions of a provider of apron management services

┆ ADR.OPS.D.060 Aircraft parking

o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;

- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec



l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ADR.OPS.D001 and the GM1. ADR.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.



Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator,

but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety



|          |                                                                                                                                                                                                                                                                                                           |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>Replace :</p> <p>(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.</p> <p>by</p> <p>(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.</p> |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                              |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| comment | <p>744 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p><a href="#">Attachment #146</a></p> <p>Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.</p> <p>Objet<br/>Exigences en termes de formation sécurité pour le personnel travaillant sur l'aire de trafic.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OR.D.005 (8) (9) Management system (training)</li> <li><input type="checkbox"/> ADR.OR.D.018 Training and proficiency check programmes – providers of apron management services       <ul style="list-style-type: none"> <li>o AMC1.ADR.OR.D.018 (a) (b) Training and proficiency check programmes – providers of apron management services</li> </ul> </li> <li><input type="checkbox"/> ADR.OPS.D.085 Training</li> </ul> <p>Commentaires</p> <p>Les exigences de formation définies par les règles citées ci-dessus posent plusieurs difficultés.</p> <p>La première concerne la difficulté d'imposer des formations de sécurité à des entreprises évoluant sur une aire de trafic et avec lesquelles les exploitants d'aérodrome n'ont souvent aucun lien contractuel (en particulier pour les société d'assistance en escale).</p> <p>En second lieu, nous ne comprenons pas le lien entre le projet d'ADR.OR.D.018 (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" avec celui de l'ADR.OR.D.017 (a) existant : "l'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome". Il existe clairement une zone de recouvrement entre les deux programmes de formation (point qui se retrouve également dans l'ADR.OR.D.005 (8)(9)).</p> <p>Enfin l'ADR.OPS.D085 impose à l'exploitant d'aérodrome de vérifier si du personnel d'assistance en escale est correctement formé et qualifié pour effectuer des missions qui relèvent clairement de l'assistance aux compagnies aériennes.</p> <p>Courtesy translation</p> <p>Training</p> <p>Comments</p> <p>The requirements of training defined by rules will create several difficulties.</p> <p>The first one concerns the difficulty to require training in safety for companies evolving on apron area and which aerodrome operator have no contractual link (arrangement).</p> <p>Another point is that we do not understand the link between ADR.OR.D.018 paragraph (a) "The provider of apron management services shall establish and implement a training programme for personnel involved in the provision of apron management services" with existing ADR.OR.D.017 (a) "The provider of apron management services shall establish and</p> |
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|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|          | <p>implement a training programme for personnel involved in the provision of apron management services"</p> <p>There is clearly an overlapping area between both training programs. Is it about the same training program?</p> <p>Finally the ADR.OPS.D085 obliges aerodrome operator to check if handler staff is correctly trained and qualified to work safely, it is clearly missions dedicated to airline companies handler</p>                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <p><i>Noted</i></p> <p>Article ADR.OR.D.018 refers to the apron management services provider.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <p><b>885</b> <span style="float: right;">comment by: <i>HIA - Highlands and Islands Airports Limited</i></span></p> <p>The training programme should cover all personnel - consider changing this to "the training programme should be tailored to the respective roles of the personnel involved."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <p><i>Not accepted</i></p> <p>Point (a) refers to the training of personnel involved in the provision of apron management services, irrespective of their position in the organisation. Job specific training is included in point (d)(3) in the same AMC.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | <p><b>964</b> <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span></p> <p>AMC1 ADR.OR.018 (a); (b) (a): (supervisors, managers, senior managers and the accountable manager). The the listing of function in the bracket is understood by FOCA as not exhaustive/as exemplary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p><b>965</b> <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span></p> <p>FOCA supports this provision. However we believe it should be established as a standard on the level of the hard law by stating that the apron service management must have initial training plans, OJT training plan, a check and assessment methodology, as well as competency scheme including recurrent training, continuation training, emergency training, safety management training etc. These training plans shall be approved by the NSA.</p> <p>This provision is not in line with Regulation (EU) No. 805/2011. For both ANSP and Competent Authority it is important to use the same set of rules, at least for apron management service staff providing direct service to aircraft.</p> |
| response | <p><i>Noted</i></p> <p>High-level training requirements have been established in the Implementing Rule. The details have been included in the AMC to ensure proportionality and flexibility in the application of the rule. Training requirements for apron management services staff providing direct service to aircraft has been included in ADR.OPS Subpart E and are very similar to the training requirements for air traffic controllers.</p>                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p><b>970</b> <span style="float: right;">comment by: <i>IDRF e.V. (association of regional airports)</i></span></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



The most details within the AMC of training and recurrent is too stringent and too detailed. They raise the cost as they are bureaucratic burdens without a direct safety benefit. The AMC could be more generic, it is sufficient to describe the aim. Details to be displaced to GM. This is valid for several of the following AMCs. We also refer to the comments of ACI Europe as they are common understanding and are decided by common meetings.

response *Noted*

The proposed AMC describes the general principles of the training programme for personnel involved in the provision of apron management services. The overall line is the same with the aerodrome operator so in case that the aerodrome operator is also a provider of apron management services the training programme could easily be integrated to the overall training programme of the aerodrome operator, minimising in that respect any implementation costs.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC2 ADR.OR.D.018(a);(b) Training and proficiency check programmes — providers of apron management services**

p. 49

comment 261 comment by: *Nordic ADR Group (NO, SE, DK, FI, IC & EE)*

AMC2 ADR.OR.D.018(a);(b):  
Language proficiency assessment should be included.

response *Noted*

comment 346 comment by: *Aena*

Add in (b) that it shall be done according to the definition of "acceptable means of compliance" given by the oversight authorities.

response *Noted*

comment 549 comment by: *Swedish Transport Agency*

Language proficiency assessment should be included.

response *Noted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC3 ADR.OR.D.018(a);(b) Training and proficiency check programmes — providers of apron management services**

p. 49

comment 966 comment by: *Federal Office of Civil Aviation FOCA*

This provision is not in line with Regulation (EU) No. 805/2011. For both ANSP and Competent Authority it is important to use the same set of rules, at least for apron management service



staff providing direct service to aircraft.

response *Noted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC4 ADR.OR.D.018(a);(b) Training and proficiency check programmes — providers of apron management services**

p. 50

comment 22 comment by: *Aena Aeropuertos, S.A.*

What does “complete recurrent training” mean? Does it mean that the complete syllabus of the affected collectives has to be repeated every 12 month as a maximum?

response *Noted*

The recurrent training (whose content might be different from the initial training) has to be completed at intervals not exceeding 12 months.

comment 62 comment by: *Flughafen Berlin Brandenburg GmbH*

Section (c) should be amended in order to allow apron management service providers to move their personnel from one airport to another while working for the same apron services provider.

Amend the provision to:

"When apron management services personnel mentioned under paragraph (a) of AMC1 ADR.OR.D.018 (a);(b) who have already completed the necessary training programme, are employed at another airport and/or by another provider of apron management services, the latter shall establish a differences trainign for such personnel to complete. Such a differences training should be determined, as necessary, on the basis of a comparison of the training already completed by the relevant individual (taking into account his/her previous training as documented in his/her training records), with the training programme that is required for the post that the person will cover.

response *Accepted*

The text has been revised as proposed.

comment 94 comment by: *Flughafen Berlin Brandenburg GmbH*

The maximum interval of 12 months in this NPA and in EASA Opinion 12 for the recurrent training should be eased.

response *Accepted*

In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).

comment 122 comment by: *ADV - German Airports Association*

These requirements may result in serious cost implications for the aerodrome operator and



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|          | <p>also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <p><i>Accepted</i></p> <p>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | <p>123 <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p> <p>(c) This section should be amended in order to allow apron management service providers to move their personnel from one airport to another while working for the same apron services provider at the same time. Amend the provision to: "When apron management services personnel mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) who have already completed the necessary training programme, are employed at another airport and/or by another provider of apron management services, the latter shall establish a differences training for such personnel to complete. Such a differences training should be determined, as necessary, on the basis of a comparison of the training already completed by the relevant individual (taking into account his/her previous training as documented in his/her training records), with the training programme that is required for the post that the person will cover."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>189 <span style="float: right;">comment by: <i>Union des Aéroports français - UAF</i></span></p> <p>Attachment <a href="#">#147</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OR.D.018 Training and proficiency check programs - providers of apron management services       <ul style="list-style-type: none"> <li>o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs</li> </ul> </li> <li><input type="checkbox"/> ADR.OR.D.032 Safety reporting system - providers of apron management services</li> <li><input type="checkbox"/> ADR.OPS.D.001 Provision of services       <ul style="list-style-type: none"> <li>o GM1 ADR.OPS.D.001 Provision of services</li> </ul> </li> <li><input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services</li> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE</li> </ul> </li> </ul> <p>Commentaires<br/>Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que</p> |



même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aéroports de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by



the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the is performance by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while l'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) “shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ”.

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan “The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome”.

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of



responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safetyrequires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

"The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

comment 212

comment by: *Swedavia AB - Swedish airports*

These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|          | aerodrome operator and the handling agents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| response | <p><i>Accepted</i></p> <p>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>310 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.</p>                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Accepted</i></p> <p>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>349 <span style="float: right;">comment by: <i>Aena</i></span></p> <p>It is similar to that existing for ATS provision. Duplicities shall be avoided in the case of ATS and apron management commonly provided.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>417 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span></p> <p>These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.</p>                                                                                                                                                                                                                                                                                                                                                                           |
| response | <p><i>Accepted</i></p> <p>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>419 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span></p> <p>(c): This section should be amended in order to allow apron management service providers to move their personnel from one airport to another while working for the same apron services provider at the same time. Amend the provision to: "When apron management services personnel mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) who have already completed the necessary training programme, are employed at another airport and/or by another provider of apron management services, the latter shall establish a differences training for such personnel to complete. Such a differences training should be determined, as necessary, on the basis of a comparison of the training already completed by the relevant individual (taking into account his/her previous training as</p> |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| response | <p>documented in his/her training records), with the training programme that is required for the post that the person will cover."</p> <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | <p>563 <span style="float: right;">comment by: <i>Finavia</i></span></p> <p>Comment: These requirements may cause serious extra costs for the aerodrome operator and the other stakeholders (handling agents).<br/>Proposed action: EASA should consider to ease the requirements as far as possible. If it is necessary to put a maximum validation period for the training it should not be less than 36 months.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| response | <p><i>Accepted</i></p> <p>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>570 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p><b>Frequency of recurrent training and proficiency checks</b></p> <p><b>Level 1 - Fundamental comment</b></p> <p><b>Level 3 – Typographical mistake</b></p> <p><b>AMC4 ADR.OR.D.018(a);(b)</b> requires AMS provider personnel to complete recurrent training at intervals not exceeding 12 months since the initial completion of their training programme. <b>AMC1 ADR.OR.D.018(c)</b> requires a maximum interval of 24 months between two proficiency checks.</p> <p>In Paris Charles de Gaulle, the provision of AMS is mainly ensured by DSNA, which is also the French ANSP. In this context, the comparison between training requirements for both AMS provider and ANS provider makes sense : although AMS personnel are not air traffic controllers, part of the tasks they carry out are quite similar to some extent. It is then reasonable to consider that <u>training requirements for AMS personnel don't have to be more stringent than for ANS personnel.</u></p> <p>Yet, regulation concerning licensing and medical certification of air traffic controllers is currently under discussion at European level. EASA opinion n° 11/2013, ATCO.B.020 Unit endorsements, paragraph (e), states that <i>"Unit endorsements shall be valid for a period defined in the unit competence scheme. This period shall not exceed <u>three years.</u>"</i> It means that in some air traffic services units, the frequency of unit endorsements, and consequently of recurrent training and proficiency checks, may actually be set to three years.</p> <p>As indicated above, the objective is to avoid having more stringent requirements for AMS providers than for ANSP. <b>AMC4 ADR.OR.D.018(a);(b)</b> and <b>AMC1 ADR.OR.D.018(c)</b> should therefore be reviewed to allow flexibility. In particular, at an airport where unit endorsements for airport air traffic controllers have a three year validity period, it is reasonable to set the frequency of training and proficiency checks for AMS personnel to three years.</p> <p>Besides, there seems to be some inconsistencies as regards wording between ATCO and AMS regulations. In particular, the term "refresher training" in ATCO regulation is equivalent to "recurrent training" in AMS regulation. "Refresher training" in AMS regulation has a different meaning, as it stands for the training that has to be achieved after an interruption of</p> |



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|          | exercise.<br>Furthermore, there is a slight typographical mistake in AMC4 ADR.OR.D.018(a);(b), para (a) (1), third line : "raining" should be replaced by "training".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| response | <i>Noted</i><br><br>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).<br><br>The requirements for the proficiency checks are the same as with the air traffic controllers. However, this does not prevent the provider of apron management services to follow an alternative means of compliance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <i>771</i> <span style="float: right;">comment by: <i>EUROCONTROL</i></span><br><br>There is an inconsistency in (c) Differences training: "the latter shall establish a differences training..." has to be replaced by "the latter should establish a differences training...".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <i>Accepted</i><br><br>The typographical error has been corrected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <i>812</i> <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span><br><br>Training of the AMS operators should be tailored accordingly to the traffic density and apron complexity indexes defined as per comment n. 781. These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.                                                                                                                                                                                                                                                                                                                                                         |
| response | <i>Accepted</i><br><br>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <i>813</i> <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span><br><br>This section should be amended in order to allow apron management service providers to move their personnel from one airport to another while working for the same apron services provider at the same time. Amend the provision to:<br>"When apron management services personnel mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) who have already completed the necessary training programme, are employed at another airport and/or by another provider of apron management services, the latter shall establish a differences training for such personnel to complete. Such a differences training should be determined, as necessary, on the basis of a comparison of the training already completed by the relevant individual (taking into account his/her previous training as documented in his/her training records), with the training programme that is required for the post that the person will cover." |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



The text has been revised as proposed.

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| comment  | 853                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | comment by: <i>Vienna International Airport</i>                        |
|          | The term "not exceeding 12 months" may become cost intensive for aerodrome operator and handling agent. This should be eased by EASA as far as possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                        |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                        |
|          | In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                        |
| comment  | 945                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i> |
|          | A change of subpoint (c) text is proposed in order to manage the case of personnel of an apron management service provider moving from one airport to another.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                        |
|          | <p>(c) Differences training — other provider of apron management services</p> <p>1. other provider of apron management services</p> <p>When apron management services personnel mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) who have already completed the necessary training programme, are employed by another provider of apron management services, the latter shall establish a differences training for such personnel to complete. Such a differences training should be determined, as necessary, on the basis of a comparison of the training already completed by the relevant individual (taking into account his/her previous training as documented in his/her training records), with the training programme that is required for the post that the person will cover.</p> <p>2. Other aerodrome</p> <p><u>When apron management services personnel mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) who have already completed the necessary training programme, are employed at another aerodrome, the provider of apron management services shall establish a differences training for such personnel to complete on the aerodrome infrastructure, local conditions and procedures related to the post that the person will cover.</u></p> |                                                                        |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                        |
|          | The title of point (c) has been changed as suggested. The case of personnel moving to another aerodrome has also been included in point (c).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                        |
| comment  | 967                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | comment by: <i>Federal Office of Civil Aviation FOCA</i>               |
|          | AMC4 ADR.OR.D.018(a);(b) (b): "should" to be replaced by "shall". "When a person mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) has not performed any duties for a significant period before the expiry date of its initial training programme, or its last current training (as the case may be), the provider of apron management services should ensure that ....."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                        |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                        |
|          | The word 'shall' is not used in the AMC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                        |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                      |
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| comment  | 1022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | comment by: Turin Airport - TRN/LIMF |
|          | <p>Training of the AMS operators should be tailored accordingly to the traffic density and apron complexity indexes defined as per comment n. 781.</p> <p>These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.</p> |                                      |
| response | <p><i>Accepted</i></p> <p>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).</p>                                                                                                                                                                                                                                                                                                                                                                                                                               |                                      |

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| comment  | 1023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: Turin Airport - TRN/LIMF |
|          | <p>This section should be amended in order to allow apron management service providers to move their personnel from one airport to another while working for the same apron services provider at the same time.</p> <p>Amend the provision to:</p> <p>"When apron management services personnel mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) who have already completed the necessary training programme, are employed at another airport and/or by another provider of apron management services, the latter shall establish a differences training for such personnel to complete. Such a differences training should be determined, as necessary, on the basis of a comparison of the training already completed by the relevant individual (taking into account his/her previous training as documented in his/her training records), with the training programme that is required for the post that the person will cover."</p> |                                      |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                      |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC1 ADR.OR.D.018(c) Training and proficiency check programmes — providers of apron management services**

p. 50

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| comment  | 124                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: ADV - German Airports Association |
|          | <p>These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.</p> |                                               |
| response | <p><i>Accepted</i></p> <p>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).</p>                                                                                                                                                                                                                                                                        |                                               |



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| comment  | 311                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Avinor</i>                                      |
|          | <p>This section should be amended in order to allow apron management service providers to move their personnel from one airport to another while working for the same apron services provider at the same time. Amend the provision to: "When apron management services personnel mentioned under paragraph (a) of AMC1 ADR.OR.D.018(a);(b) who have already completed the necessary training programme, are employed at another airport and/or by another provider of apron management services, the latter shall establish a differences training for such personnel to complete. Such a differences training should be determined, as necessary, on the basis of a comparison of the training already completed by the relevant individual (taking into account his/her previous training as documented in his/her training records), with the training programme that is required for the post that the person will cover."</p> |                                                                |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                |
| comment  | 313                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Avinor</i>                                      |
|          | <p>These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                |
| response | <p><i>Accepted</i></p> <p>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                |
| comment  | 422                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | <p>These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                |
| response | <p><i>Accepted</i></p> <p>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                |
| comment  | 564                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Finavia</i>                                     |
|          | <p>Comment: These requirements may cause serious extra costs for the aerodrome operator and the other stakeholders (handling agents).<br/>Proposed action: EASA should consider to ease the requirements as far as possible. If it is necessary to put a maximum validation period for the training it should not be less than 36 months.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                |



In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).

comment

570 ❖

comment by: DGAC France

### Frequency of recurrent training and proficiency checks

#### Level 1 - Fundamental comment

#### Level 3 – Typographical mistake

**AMC4 ADR.OR.D.018(a);(b)** requires AMS provider personnel to complete recurrent training at intervals not exceeding 12 months since the initial completion of their training programme. **AMC1 ADR.OR.D.018(c)** requires a maximum interval of 24 months between two proficiency checks.

In Paris Charles de Gaulle, the provision of AMS is mainly ensured by DSNA, which is also the French ANSP. In this context, the comparison between training requirements for both AMS provider and ANS provider makes sense : although AMS personnel are not air traffic controllers, part of the tasks they carry out are quite similar to some extent. It is then reasonable to consider that training requirements for AMS personnel don't have to be more stringent than for ANS personnel.

Yet, regulation concerning licensing and medical certification of air traffic controllers is currently under discussion at European level. EASA opinion n° 11/2013, ATCO.B.020 Unit endorsements, paragraph (e), states that *"Unit endorsements shall be valid for a period defined in the unit competence scheme. This period shall not exceed three years."* It means that in some air traffic services units, the frequency of unit endorsements, and consequently of recurrent training and proficiency checks, may actually be set to three years.

As indicated above, the objective is to avoid having more stringent requirements for AMS providers than for ANSP. **AMC4 ADR.OR.D.018(a);(b)** and **AMC1 ADR.OR.D.018(c)** should therefore be reviewed to allow flexibility. In particular, at an airport where unit endorsements for airport air traffic controllers have a three year validity period, it is reasonable to set the frequency of training and proficiency checks for AMS personnel to three years.

Besides, there seems to be some inconsistencies as regards wording between ATCO and AMS regulations. In particular, the term "refresher training" in ATCO regulation is equivalent to "recurrent training" in AMS regulation. "Refresher training" in AMS regulation has a different meaning, as it stands for the training that has to be achieved after an interruption of exercise.

Furthermore, there is a slight typographical mistake in AMC4 ADR.OR.D.018(a);(b), para (a) (1), third line : "raining" should be replaced by "training".

response

Noted

Differently from the ATCOs, persons providing apron management services do not have the unit endorsement. For those persons, proficiency checks are required at regular intervals. The guidance material is currently proposing 24 months. As regards the recurrent training, the proposed interval between consecutive recurrent trainings is proposed to be 12 months, which is similar to other positions involved in aerodrome operations.

comment

814

comment by: Assaeroporti - Associazione Italiana Gestori Aeroporti

These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|          | far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.                                                                                                                                                                                                                                                                                  |
| response | <i>Accepted</i><br><br>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | 968 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation FOCA</i></span><br><br>AMC1 ADR.OR.D.018(c) (b): This does not match with AMC4 ADR.OR.D.018 (a);(b) a) (1) - 12 months compared to 24 months.                                                                                                                                                                                                                                                                                      |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | 1024 <span style="float: right;">comment by: <i>Turin Airport - TRN/LIMF</i></span><br><br>These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents. |
| response | <i>Accepted</i><br><br>In order to keep a similar approach with the aerodrome operator, the AMC has been moved to GM as GM1 ADR.OR.D.018(a);(b).                                                                                                                                                                                                                                                                                                                                                                   |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC2 ADR.OR.D.018(c) Training and proficiency check programmes — providers of apron management services**

p. 50-51

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 124 ❖ <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span><br><br>These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents. |
| response | <i>Partially accepted</i><br><br>The requirements for the recurrent training has been moved to GM. However, the requirements for the instructors and assessors are the same with the agreed provisions for the aerodrome operator.                                                                                                                                                                                                                                                                                           |
| comment  | 314 <span style="float: right;">comment by: <i>Avinor</i></span><br><br>These requirements may result in serious cost implications for the aerodrome operator and                                                                                                                                                                                                                                                                                                                                                            |



also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.

response *Partially accepted*

The requirements for the recurrent training has been moved to GM. However, the requirements for the instructors and assessors are the same with the agreed provisions for the aerodrome operator.

comment 423 comment by: *ACI EUROPE (Airports Council International)*

These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.

response *Partially accepted*

The requirements for the recurrent training has been moved to GM. However, the requirements for the instructors and assessors are the same with the agreed provisions for the aerodrome operator.

comment 565 comment by: *Finavia*

Comment: These requirements may cause serious extra costs for the aerodrome operator and the other stakeholders (handling agents).  
Proposed action: EASA should consider to ease the requirements as far as possible.

response *Partially accepted*

The requirements for the recurrent training has been moved to GM. However, the requirements for the instructors and assessors are the same with the agreed provisions for the aerodrome operator.

comment 815 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents.

response *Partially accepted*

The requirements for the recurrent training has been moved to GM. However, the requirements for the instructors and assessors are the same with the agreed provisions for the aerodrome operator.

comment 969 comment by: *Federal Office of Civil Aviation FOCA*



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| response | AMC2 ADR.OR.D.018(c) (b): It shall remain in the responsibility of the Competent Authority to nominate assessors (which would be in line with the Basic Regulation).                                                                                                                                                                                                                                                                                                                                    |
| response | <i>Not accepted</i><br>The same principles followed for the aerodrome operator apply similarly for the provider of apron management services.                                                                                                                                                                                                                                                                                                                                                           |
| comment  | 1025 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span><br>These requirements may result in serious cost implications for the aerodrome operator and also other stakeholders (handling agents). EASA should consider to ease the requirements as far as possible, for instance the recurrent training requirement (not exceeding 12 months) and the instructors and assessors requirements. This to ease the economical burden for the aerodrome operator and the handling agents. |
| response | <i>Partially accepted</i><br>The requirements for the recurrent training has been moved to GM. However, the requirements for the instructors and assessors are the same with the agreed provisions for the aerodrome operator.                                                                                                                                                                                                                                                                          |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — GM2 ADR.OR.D.018(d) Training and proficiency check programmes — providers of apron management services**

p. 52

|          |                                                                                                                                                                      |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 315 <span style="float: right;">comment by: Avinor</span><br>Misspelling. Replace "PROFFICIENCY" with "PROFICIENCY".                                                 |
| response | <i>Accepted</i>                                                                                                                                                      |
| comment  | 425 <span style="float: right;">comment by: ACI EUROPE (Airports Council International)</span><br>Misspelling. Replace "PROFFICIENCY" with "PROFICIENCY".            |
| response | <i>Accepted</i>                                                                                                                                                      |
| comment  | 816 <span style="float: right;">comment by: Assaeroporti - Associazione Italiana Gestori Aeroporti</span><br>Misspelling. Replace "PROFFICIENCY" with "PROFICIENCY". |
| response | <i>Accepted</i>                                                                                                                                                      |
| comment  | 1026 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span><br>Misspelling. Replace "PROFFICIENCY" with "PROFICIENCY".                              |
| response | <i>Accepted</i>                                                                                                                                                      |



**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — MANAGEMENT (ADR.OR.D) — AMC1 ADR.OR.D.040 Record keeping — provider of apron management services** p. 53-54

|          |                                                                               |                                                          |
|----------|-------------------------------------------------------------------------------|----------------------------------------------------------|
| comment  | 971                                                                           | comment by: <i>Federal Office of Civil Aviation FOCA</i> |
|          | National legislation may be stricter and provide for a longer storage period. |                                                          |
| response | <i>Noted</i>                                                                  |                                                          |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART F — OPERATIONS MANUAL AND DOCUMENTATION OF PROVIDER OF APRON MANAGEMENT SERVICES — AMC1 ADR.OR.F.005 Operations manual** p. 54

|          |                                                                                                                                                                             |                                                      |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 63                                                                                                                                                                          | comment by: <i>Flughafen Berlin Brandenburg GmbH</i> |
|          | Section (e):<br>Replace the "aerodrome equipment manual" with "other operational documents" to be in line with ADR.OR.E.005 (i)(2)                                          |                                                      |
| response | <i>Not accepted</i>                                                                                                                                                         |                                                      |
|          | The provision refers to manuals of aerodrome equipment used in the provision of apron management services and is similar to the provision in AMC1 ADR.OR.E.005 (point (e)). |                                                      |

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|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 125                                                                                                                                                                         | comment by: <i>ADV - German Airports Association</i> |
|          | (e) Replace "the aerodrome equipment manual" with "other operational documents" to be in line with ADR.OR.E.005 (i) (2).                                                    |                                                      |
| response | <i>Not accepted</i>                                                                                                                                                         |                                                      |
|          | The provision refers to manuals of aerodrome equipment used in the provision of apron management services and is similar to the provision in AMC1 ADR.OR.E.005 (point (e)). |                                                      |

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|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 126                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i> |
|          | If an aerodrome operator is the provider of apron management services, it should be made clear that the operations manual can be an integrated part of the aerodrome manual. |                                                      |
| response | <i>Accepted</i>                                                                                                                                                              |                                                      |
|          | A new point (m) has been included in ADR.OR.F.005.                                                                                                                           |                                                      |

|          |                                                                                                                      |                           |
|----------|----------------------------------------------------------------------------------------------------------------------|---------------------------|
| comment  | 316                                                                                                                  | comment by: <i>Avinor</i> |
|          | Replace "the aerodrome equipment manual" with "other operational documents" to be in line with ADR.OR.E.005 (i) (2). |                           |
| response | <i>Not accepted</i>                                                                                                  |                           |



|          |     |                                                                                                                                                                                                                                            |
|----------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |     | The provision refers to manuals of aerodrome equipment used in the provision of apron management services and is similar to the provision in AMC1 ADR.OR.E.005 (point (e)).                                                                |
| comment  | 428 | comment by: <i>ACI EUROPE (Airports Council International)</i><br>Replace "the aerodrome equipment manual" with "other operational documents" to be in line with ADR.OR.E.005 (i) (2).                                                     |
| response |     | <i>Not accepted</i><br>The provision refers to manuals of aerodrome equipment used in the provision of apron management services and is similar to the provision in AMC1 ADR.OR.E.005 (point (e)).                                         |
| comment  | 430 | comment by: <i>ACI EUROPE (Airports Council International)</i><br>If an aerodrome operator is the provider of apron management services, can the operations manual be an integrated part of the aerodrome manual? Clarification is needed. |
| response |     | <i>Accepted</i><br>A new point (m) has been included in ADR.OR.F.005.                                                                                                                                                                      |
| comment  | 544 | comment by: <i>Swedish Transport Agency</i><br>If an aerodrome operator is the provider of apron management services, can the operations manual be an integrated part of the aerodrome manual?                                             |
| response |     | <i>Accepted</i><br>A new point (m) has been included in ADR.OR.F.005.                                                                                                                                                                      |
| comment  | 545 | comment by: <i>Swedish Transport Agency</i><br>Replace "the aerodrome equipment manual" with "other operational documents"                                                                                                                 |
| response |     | <i>Not accepted</i><br>The provision refers to manuals of aerodrome equipment used in the provision of apron management services and is similar to the provision in AMC1 ADR.OR.E.005 (point (e)).                                         |
| comment  | 554 | comment by: <i>CAA Austria - Ministry of Transport</i><br>If an aerodrome operator is the provider of apron management services, it should be made clear that the operations manual can be an integrated part of the aerodrome manual.     |
| response |     | <i>Accepted</i><br>A new point (m) has been included in ADR.OR.F.005.                                                                                                                                                                      |
| comment  | 818 | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i><br>If an aerodrome operator is the provider of apron management services, can the operations                                                                     |



|          |                                                                                                                                                                                                                                                                            |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p>manual be an integrated part of the aerodrome manual? Clarification is needed.</p> <p><i>Accepted</i></p> <p>A new point (m) has been included in ADR.OR.F.005.</p>                                                                                                     |
| comment  | <p>1027 <span style="float: right;">comment by: <i>Turin Airport - TRN/LIMF</i></span></p> <p>If an aerodrome operator is the provider of apron management services, can the operations manual be an integrated part of the aerodrome manual? Clarification is needed.</p> |
| response | <p><i>Accepted</i></p> <p>A new point (m) has been included in ADR.OR.F.005.</p>                                                                                                                                                                                           |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART F — OPERATIONS MANUAL AND DOCUMENTATION OF PROVIDER OF APRON MANAGEMENT SERVICES — AMC1 ADR.OR.F.005(i)(2) Operations Manual**

p. 54

|          |                                                                                                                                                                                                                                                                                 |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>213 <span style="float: right;">comment by: <i>Swedavia AB - Swedish airports</i></span></p> <p>If an aerodrome operator is the provider of apron management services, can the operations manual be an integrated part of the aerodrome manual? Clarification is needed.</p> |
| response | <p><i>Accepted</i></p> <p>A new point (m) has been included in ADR.OR.F.005.</p>                                                                                                                                                                                                |
| comment  | <p>317 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>Wrong reference. Replace "ADR.OR.F.005(i)(2) by "ADR.OR.F.005(l)"</p>                                                                                                                                |
| response | <p><i>Not accepted</i></p> <p>The AMC refers to ADR.OR.F.005(i)(2).</p>                                                                                                                                                                                                         |
| comment  | <p>556 <span style="float: right;">comment by: <i>CAA Austria - Ministry of Transport</i></span></p> <p>Language of the operations manual should be in the countries official language. Clarification is needed.</p>                                                            |
| response | <p><i>Noted</i></p> <p>Refer to ADR.OR.F.005 (point (i)(1)) which states that the language of the manual should be acceptable to the Competent Authority. The same principle with the one for the aerodrome manual has been followed.</p>                                       |
| comment  | <p>946 <span style="float: right;">comment by: <i>Airport Zurich</i></span></p> <p><b>Comment:</b> Page 54-59</p>                                                                                                                                                               |



If an aerodrome operator is the provider of apron management services, will it need two separate certificates? What will be the situation if an aerodrome certificate is already issued?

**Justification:**

Clarification is needed.

Comment by: ZRH/OF

response *Noted*

Refer to the relevant rules for the aerodrome certificate. If a certified aerodrome operator decides to provide apron management services as well, the terms of the certificate need to be changed (see GM1 ADR.AR.C.035(e)).

comment 951 comment by: ENAC Ente Nazionale per l'Aviazione Civile (Italia)

When the AMS is entirely provided by the aerodrome operator does the latter need to develop a separate operations manual as AMS provider of that aerodrome or might the operations manual be a specific part of the aerodrome manual? Is it possible to provide clarification at least in appropriate GM? See also former comment on ADR.AR.C.035 Issuance of certificates (b)(2)

response *Noted*

A new point (m) has been included in ADR.OR.F.005, allowing the aerodrome operator to include apron management services in the aerodrome manual.

comment 972 comment by: Federal Office of Civil Aviation FOCA

In accordance with national legislation the operations manual may have to be drafted in a national language, solely in German/French, but not additionally in English. Translations may cause an additional administrative burden.

response *Noted*

Refer to ADR.OR.F.005 (point (i)(1)) which states that the language of the manual should be acceptable to the Competent Authority. The same principle with the one for the aerodrome manual has been followed. Translations may be required for those persons not speaking the local language(s).

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART F — OPERATIONS MANUAL AND DOCUMENTATION OF PROVIDER OF APRON MANAGEMENT SERVICES — AMC2 ADR.OR.F.005(i)(2) Operations Manual**

p. 54-57



|          |                                                                                                                                                                                                                                          |                                                      |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 64                                                                                                                                                                                                                                       | comment by: <i>Flughafen Berlin Brandenburg GmbH</i> |
|          | Wrong reference. Replace "ADR.OR.F.005 (i)(2)" by "ADR.OR.F.005 (I)                                                                                                                                                                      |                                                      |
| response | <i>Not accepted</i>                                                                                                                                                                                                                      |                                                      |
|          | The AMC refers to ADR.OR.F.005(i)(2).                                                                                                                                                                                                    |                                                      |
| comment  | 89                                                                                                                                                                                                                                       | comment by: <i>Flughafen Berlin Brandenburg GmbH</i> |
|          | Misspelling in 3.1.1., first line: Replace "he" with "the".                                                                                                                                                                              |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                          |                                                      |
| comment  | 319                                                                                                                                                                                                                                      | comment by: <i>Avinor</i>                            |
|          | B. 2.1: Replace "organogram" with "organisational chart".                                                                                                                                                                                |                                                      |
| response | <i>Noted</i>                                                                                                                                                                                                                             |                                                      |
|          | The same term has been used for the aerodrome manual, which has already been accepted.                                                                                                                                                   |                                                      |
| comment  | 320                                                                                                                                                                                                                                      | comment by: <i>Avinor</i>                            |
|          | B. 3.1.1 first line: Misspelling. Replace "he" with "the".                                                                                                                                                                               |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                          |                                                      |
| comment  | 321                                                                                                                                                                                                                                      | comment by: <i>Avinor</i>                            |
|          | D. 5.2. second line: Replace "he/she" with "it".                                                                                                                                                                                         |                                                      |
| response | <i>Noted</i>                                                                                                                                                                                                                             |                                                      |
| comment  | 350                                                                                                                                                                                                                                      | comment by: <i>Aena</i>                              |
|          | Many of these points are outside of the actual TWR Operational Manuals. We propose that reference to SMS is made so that Operational Manuals do not need to include this description.                                                    |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                          |                                                      |
|          | ADR.OR.F.005 (point (b)) states that the operations manual can contain or refer to all the necessary information for the safe provision of apron management services, meaning that a reference to the SMS manual is considered adequate. |                                                      |
| comment  | 354                                                                                                                                                                                                                                      | comment by: <i>Aena</i>                              |
|          | In case of both ATS and apron management provided by the same organisation, the procedures for apron management specified in part E could be included within ATS, with no need for separation.                                           |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                          |                                                      |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                         |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|          | Please refer to the reply above on a similar issue, as well as point (m) in ADR.OR.F.005.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                         |
| comment  | 429                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: ACI EUROPE (Airports Council International) |
|          | Wrong reference. Replace "ADR.OR.F.005(i)(2) by "ADR.OR.F.005(l)"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                         |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                         |
|          | The AMC refers to ADR.OR.F.005(i)(2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                         |
| comment  | 431                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: ACI EUROPE (Airports Council International) |
|          | B. 2.1: Replace "organogram" with "organisational chart".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                         |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                         |
|          | The same term has been used for the aerodrome manual, which has already been accepted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                         |
| comment  | 432                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: ACI EUROPE (Airports Council International) |
|          | B. 3.1.1 first line: Misspelling. Replace "he" with "the".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                         |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                         |
| comment  | 433                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: ACI EUROPE (Airports Council International) |
|          | D. 5.2. second line: Replace "he/she" with "it".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                         |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                         |
| comment  | 476                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: DGAC France                                 |
|          | <p><b>Structure of Operations Manual</b></p> <p><b>Level 1 - Fundamental comment</b></p> <p>AMC2 ADR.OR.F.005 (i)(2) lists the items which should be included in the Operations manual of an AMS provider. Listing these items in an AMC is indeed useful ; however, the AMS provider should be free to decide on the way this information is organized and on its manual's structure.</p> <p>This comment especially applies when the AMS provider is also the Air Navigation Services Provider. In this case, the provider may want to choose for the AMS operations manual the same structure as for the ANS operations manual, which may be different from what is presented in AMC2.</p> <p>It is therefore proposed to introduce some flexibility by modifying AMC2 as follows :</p> <p><b>AMC2 ADR.OR.F.005(i)(2) Operations Manual</b></p> <p><b>OPERATIONS MANUAL</b></p> <p>(a) The operations manual should <del>have the following structure, and include, at least, the following information;</del> if an item is not applicable, the indication 'Not applicable' or 'Intentionally blank' should be inserted, along with the relevant reason:</p> <p>[...]</p> |                                                         |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                         |



|          |                                                                                                                                                                                                                                                                                                                                                |                                                                           |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
|          | The text has been revised as proposed.                                                                                                                                                                                                                                                                                                         |                                                                           |
| comment  | 550                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Swedish Transport Agency</i>                               |
|          | B. 2.1: Replace "organogram" with "organisational chart".                                                                                                                                                                                                                                                                                      |                                                                           |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                            |                                                                           |
|          | The same term has been used for the aerodrome manual, which has already been accepted.                                                                                                                                                                                                                                                         |                                                                           |
| comment  | 566                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Finavia</i>                                                |
|          | Comment: Even the Operations Manual should not be a mandatory document, the content listing is far too detailed in AMC level. If an aerodrome operator is the provider of apron management services, no separate operations manual is needed.<br>Proposed action: To be published in GM level if seemed necessary to have so detailed listing. |                                                                           |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                      |                                                                           |
|          | The operations manual, as for all other organisations, is a mandatory document.<br>There is no need for an aerodrome operator to have separate manuals if it also provides apron management services. This is referenced in point (m) of ADR.OR.F.005.                                                                                         |                                                                           |
| comment  | 817                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | Wrong reference. Replace "ADR.OR.F.005(i)(2) by "ADR.OR.F.005(l)"                                                                                                                                                                                                                                                                              |                                                                           |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                            |                                                                           |
|          | The AMC refers to ADR.OR.F.005(i)(2).                                                                                                                                                                                                                                                                                                          |                                                                           |
| comment  | 819                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | B. 2.1: Replace "organogram" with "organisational chart".                                                                                                                                                                                                                                                                                      |                                                                           |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                            |                                                                           |
|          | The same term has been used for the aerodrome manual, which has already been accepted.                                                                                                                                                                                                                                                         |                                                                           |
| comment  | 820                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | B. 3.1.1 first line: Misspelling. Replace "he" with "the".                                                                                                                                                                                                                                                                                     |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                |                                                                           |
| comment  | 821                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | D. 5.2. second line: Replace "he/she" with "it".                                                                                                                                                                                                                                                                                               |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                   |                                                                           |



|          |                                                                                                                                                                                               |                                                                        |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| comment  | 902                                                                                                                                                                                           | comment by: <i>HIA - Highlands and Islands Airports Limited</i>        |
|          | The proposed structure of the Operations Manual is comprehensive. However, a large number of items are already contained in our Safety Management Systems Manual. These will be referred out. |                                                                        |
| response | <i>Noted</i>                                                                                                                                                                                  |                                                                        |
| comment  | 947                                                                                                                                                                                           | comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i> |
|          | The rule should make reference to ADR.OR.F.005(l). Replace "ADR.OR.F.005(i)(2)" with "ADR.OR.F.005(l)".                                                                                       |                                                                        |
| response | <i>Not accepted</i><br>The AMC refers to ADR.OR.F.005(i)(2).                                                                                                                                  |                                                                        |
| comment  | 973                                                                                                                                                                                           | comment by: <i>Federal Office of Civil Aviation FOCA</i>               |
|          | FOCA suggests to move this provision to GM.                                                                                                                                                   |                                                                        |
| response | <i>Not accepted</i><br>It is more appropriate to keep the content of the manual at AMC level, as already applied for the aerodrome manual.                                                    |                                                                        |
| comment  | 1028                                                                                                                                                                                          | comment by: <i>Turin Airport - TRN/LIMF</i>                            |
|          | Wrong reference. Replace "ADR.OR.F.005(i)(2) by "ADR.OR.F.005(l)"                                                                                                                             |                                                                        |
| response | <i>Not accepted</i><br>The AMC refers to ADR.OR.F.005(i)(2).                                                                                                                                  |                                                                        |
| comment  | 1029                                                                                                                                                                                          | comment by: <i>Turin Airport - TRN/LIMF</i>                            |
|          | B. 2.1: Replace "organogram" with "organisational chart".                                                                                                                                     |                                                                        |
| response | <i>Not accepted</i><br>The same term has been used for the aerodrome manual, which has already been accepted.                                                                                 |                                                                        |
| comment  | 1030                                                                                                                                                                                          | comment by: <i>Turin Airport - TRN/LIMF</i>                            |
|          | D. 5.2. second line: Replace "he/she" with "it".                                                                                                                                              |                                                                        |
| response | <i>Noted</i>                                                                                                                                                                                  |                                                                        |
| comment  | 1031                                                                                                                                                                                          | comment by: <i>Turin Airport - TRN/LIMF</i>                            |
|          | B. 3.1.1 first line: Misspelling. Replace "he" with "the".                                                                                                                                    |                                                                        |



response *Accepted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART F — OPERATIONS MANUAL AND DOCUMENTATION OF PROVIDER OF APRON MANAGEMENT SERVICES — GM1 ADR.OR.F.005 Operations Manual**

p. 58

comment 322

comment by: *Avinor*

The contents of the aerodrome manual and the operations manual will (partly) overlap. The text should be amended in order to allow for better cross-referencing between these documents. The numbering system described in AMC2 ADR.OR.F.005 should be maintained even if there are sections that are not applicable or already covered by the aerodrome manual.

response *Accepted*

The comment obviously refers to GM2 ADR.OR.F.005, and the text has been revised as proposed.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART F — OPERATIONS MANUAL AND DOCUMENTATION OF PROVIDER OF APRON MANAGEMENT SERVICES — GM2 ADR.OR.F.005 Operations manual**

p. 58

comment 65

comment by: *Flughafen Berlin Brandenburg GmbH*

The contents of the aerodrome manual and the operations manual will (partly) overlap. The text should be amended in order to allow for better cross-referencing between these two documents:

"The numbering system described in AMC2 ADR.OR.F.005 should be maintained even if there are sections that are not applicable or already covered by the aerodrome manual."

response *Accepted*

The text has been revised as proposed.

comment 127

comment by: *ADV - German Airports Association*

The contents of the aerodrome manual and the operations manual will (partly) overlap. The text should be amended in order to allow for better cross-referencing between these documents. The numbering system described in AMC2 ADR.OR.F.005 should be maintained even if there are sections that are not applicable or already covered by the aerodrome manual.

response *Accepted*

The text has been revised as proposed.



|          |                                                                                                                                                                                                                                                                                                                                                                  |                                                                           |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| comment  | 434                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>ACI EUROPE (Airports Council International)</i>            |
|          | The contents of the aerodrome manual and the operations manual will (partly) overlap. The text should be amended in order to allow for better cross-referencing between these documents. The numbering system described in AMC2 ADR.OR.F.005 should be maintained even if there are sections that are not applicable or already covered by the aerodrome manual. |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                  |                                                                           |
|          | The text has been revised as proposed.                                                                                                                                                                                                                                                                                                                           |                                                                           |
| comment  | 553                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>CAA Austria - Ministry of Transport</i>                    |
|          | The contents of the aerodrome manual and the operations manual will (partly) overlap. The text should be amended in order to allow for better cross-referencing between these documents. The numbering system described in AMC2 ADR.OR.F.005 should be maintained even if there are sections that are not applicable or already covered by the aerodrome manual. |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                  |                                                                           |
|          | The text has been revised as proposed.                                                                                                                                                                                                                                                                                                                           |                                                                           |
| comment  | 822                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | The contents of the aerodrome manual and the operations manual will (partly) overlap. The text should be amended in order to allow for better cross-referencing between these documents. The numbering system described in AMC2 ADR.OR.F.005 should be maintained even if there are sections that are not applicable or already covered by the aerodrome manual. |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                  |                                                                           |
|          | The text has been revised as proposed.                                                                                                                                                                                                                                                                                                                           |                                                                           |
| comment  | 909                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>HIA - Highlands and Islands Airports Limited</i>           |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                                                                                                                                                       |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                     |                                                                           |
| comment  | 1032                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>Turin Airport - TRN/LIMF</i>                               |
|          | The contents of the aerodrome manual and the operations manual will (partly) overlap. The text should be amended in order to allow for better cross-referencing between these documents. The numbering system described in AMC2 ADR.OR.F.005 should be maintained even if there are sections that are not applicable or already covered by the aerodrome manual. |                                                                           |



response *Accepted*

The text has been revised as proposed.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART F — OPERATIONS MANUAL AND DOCUMENTATION OF PROVIDER OF APRON MANAGEMENT SERVICES — GM1 ADR.OR.F.005(j) Operations manual**

p. 59

comment 318

comment by: *Avinor*

If an aerodrome operator is the provider of apron management services, can the operations manual be an integrated part of the aerodrome manual? Clarification is needed.

response *Accepted*

A new point (m) has been included in ADR.OR.F.005, allowing the aerodrome operator to include apron management services in the aerodrome manual.

comment 909 ❖

comment by: *HIA - Highlands and Islands Airports Limited*

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response *Noted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM1 ADR.OPS.D.001 Provision of services**

p. 59

comment 128

comment by: *ADV - German Airports Association*

Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 214

comment by: *Swedavia AB - Swedish airports*

Page 59-74. General comment for Subpart D.  
Most of the paragraphs and requirements in Subpart D are related to the aerodrome



operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 323

comment by: *Avinor*

Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 486 ❖

comment by: *DGAC France*

### **Identification of the apron management services and of the AMS provider**

#### **Level 1 - Fundamental comment**

Subpart D is entitled "Apron Management Services" : it contains a list of the various requirements which are considered as such services. ADR.OPS.D.001 indicates that these services shall be provided by the aerodrome operator, either directly or by a third party. However, ADR.OPS.D.005 indicates that *when apron management services are provided*, they shall include at least ADR.OPS.D.015, ADR.OPS.B.020 and ADR.OPS.D.035. So there seems to be a contraction between this IR and ADR.OPS.D.001 : on the one hand, we understand that every service listed in this subpart shall be provided, whereas on the other hand, we are told only three of them are mandatory.

This misunderstanding is due to the fact the definition of "apron management service" in ICAO Annex 14 paragraph 9.5.1 is more restrictive than the definition of "apron management services" as given in the NPA. According to ICAO, "*when warranted by the volume of traffic and operating conditions, an appropriate apron management service should be provided [...]in order to :*

- a) regulate movement with the objective of preventing collisions between aircraft, and between aircraft and obstacles;*
- b) regulate entry of aircraft into, and coordinate exit of aircraft from, the apron with the aerodrome control tower; and*
- c) ensure safe and expeditious movement of vehicles and appropriate regulation of other activities."*

These three items correspond to the three IR quoted in ADR.OPS.D.005, namely



ADR.OPS.D.015, ADR.OPS.B.020 and ADR.OPS.D.035, whereas the NPA designates as apron management services the whole list of IR contained in Subpart D.

Some IR of Subpart D, as they are written, can be considered as requirements rather than services : for example : establishing written agreements (ADR.OPS.D.010), ensuring that appropriate number of frequencies are assigned (OPS.D.025), establishing driving rules (ADR.OPS.D.035) or establishing safety rules (OPS.D.045), etc. are not “services” as such. These IR apply in any case, whether or not an AMS unit is established at the aerodrome.

It is therefore proposed to adopt the AMS definition of ICAO Annex 14, as being the three functions that are provided by a **dedicated AMS unit (= AMS provider)**, when such a unit is established.

It is necessary to distinguish between IR applying to the aerodrome operator, whether or not an AMS unit is established, and IR applying to this AMS unit when established. These specific IR should be in a dedicated Subpart “AMS provider requirements”. More specifically, some IR of Subpart D as they are written may apply to both aerodrome operator and AMS provider at a different level, and should therefore be split into two IRs : on the one hand, a requirement applicable to the aerodrome operator regardless of the existence of an AMS provider (for example : define high-level safety rules, define driving rules), on the other hand a requirement applicable to the AMS provider, requiring the latter to integrate the rules defined by the AD operator into its own operational procedures.

The matrix below proposes an allocation of current Subpart D IRs between the AD operator, the AMS provider when established, and third parties. For clarity purposes, requirements applying to AMS provider could be listed in a new “Subpart E”.

| REF | TITLE                                                                                                        | ADR.OPS.D                                                                                                                             | List of rules applicable to    |                                 |               |
|-----|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------|---------------|
|     |                                                                                                              |                                                                                                                                       | D- the aerodrome operator      | E-the AMS unit                  | A third party |
| 001 | Provision of services                                                                                        | <b>ADR.OPS.D.001<br/>Provision of services</b>                                                                                        | x                              |                                 |               |
| 005 | Functions of a provider of apron management services                                                         | <b>ADR.OPS.D.005<br/>Functions of a provider of apron management services</b>                                                         |                                | x                               |               |
| 010 | Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit | <b>ADR.OPS.D.010<br/>Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b> | x                              | x                               |               |
| 015 | Management of aircraft movement on the apron                                                                 | <b>ADR.OPS.D.015<br/>Management of aircraft movement on the apron</b>                                                                 | x<br>(definition of the rules) | x<br>(application of the rules) |               |
| 020 | Coordination of aircraft entry to /exit from the                                                             | <b>ADR.OPS.D.020<br/>Coordination of aircraft entry to /exit</b>                                                                      |                                | x                               |               |



|     |                                                              |                                                                                   |                                |                                      |                                            |
|-----|--------------------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------|--------------------------------------|--------------------------------------------|
|     | apron                                                        | <b>from the apron</b>                                                             |                                |                                      |                                            |
| 025 | Apron management services boundaries                         | <b>ADR.OPS.D.025 Apron management services boundaries</b>                         | x                              |                                      |                                            |
| 030 | Assignment of radio frequencies to apron management services | <b>ADR.OPS.D.030 Assignment of radio frequencies to apron management services</b> |                                |                                      | State                                      |
| 035 | Management of vehicle movements                              | <b>ADR.OPS.D.035 Management of vehicle movements</b>                              | x<br>(definition of the rules) | x<br>(application of the rules)      |                                            |
| 040 | Right of way on the apron                                    | <b>ADR.OPS.D.040 Right of way on the apron</b>                                    | x<br>(definition of the rules) | x<br>(application of the rules)      |                                            |
| 045 | Management of apron safety                                   | <b>ADR.OPS.D.045 Management of apron safety</b>                                   | x                              |                                      |                                            |
| 050 | Aircraft stand allocation                                    | <b>ADR.OPS.D.050 Aircraft stand allocation</b>                                    | x                              |                                      |                                            |
| 055 | Marshalling of aircraft                                      | <b>ADR.OPS.D.055 Marshalling of aircraft</b>                                      |                                | x ? (if marshalling included in AMS) | Ground handler employing marshallers       |
| 060 | Aircraft parking                                             | <b>ADR.OPS.D.060 Aircraft parking</b>                                             |                                | x? (if marshalling included in AMS)  | Ground handler guiding the aircraft, pilot |
| 065 | Aircraft departure                                           | <b>ADR.OPS.D.065 Aircraft departure</b>                                           |                                |                                      | Ground handler guiding the aircraft, pilot |
| 070 | Start-up clearances and taxi instructions                    | <b>ADR.OPS.D.070 Start-up clearances and taxi instructions</b>                    |                                | x                                    |                                            |
| 075 | Dissemination of information to operators                    | <b>ADR.OPS.D.075 Dissemination of information to operators</b>                    | x                              |                                      |                                            |
| 080 | Alerting of emergency services                               | <b>ADR.OPS.D.080 Alerting of emergency services</b>                               | x                              | x                                    |                                            |
| 085 | Training                                                     | <b>ADR.OPS.D.085 Training</b>                                                     |                                | x                                    | Employer of marshallers                    |



|  |  |  |  |  |                                                   |
|--|--|--|--|--|---------------------------------------------------|
|  |  |  |  |  | and leader van drivers (if not considered as AMS) |
|--|--|--|--|--|---------------------------------------------------|

ADR.OPS.D.001 and ADR.OPS.D.005, as well as their associated GMs, should be amended accordingly :

- ADR.OPS.D.001 relates to the responsibilities of aerodrome operators, irrespective of the establishment of an AMS provider. In particular, GM2 ADR.OPS.D.001 should not mention services provided by an AMS unit (marshalling, follow-me, etc.) as “essential” on an apron, as these services may not be provided on small airports.
- ADR.OPS.D.005 relates to the functions of an AMS unit, and should be moved in new Subpart E. **In this respect, introducing a GM explaining what kind of provider an AMS unit may be, and what may be the means used to provide the service, would be very useful to clearly identify these units (see proposal for GM1 ADR.OPS.E.001). In particular, there is an ambiguity concerning marshallers and leader vans (‘follow-me’ vehicles) : it is not clear whether these services are in the scope of an AMS unit or not. AMC1 ADR.OPS.D.055, D.060 and D.085 are examples of rules which are ambiguous from this point of view, because we don’t know whether they apply to AMS or to other entities. We infer that at some airports, Follow-me vehicles is a way to provide AMS, whereas at other airports, Follow-me vehicles simply operate as ground handlers or ANSP, without an AMS being provided. This should however be clarified in the text.**

**SUBPART D — APRON MANAGEMENT SERVICES REQUIREMENTS (ADR.OPS.D)**

**ADR.OPS.D.001 ~~Provision of services~~ Apron requirements**

The ~~services requirements~~ under Subpart D of this Annex shall be ~~provided~~ fulfilled at the aerodrome by the aerodrome operator directly or indirectly, ~~in accordance with ADR.OPS.D.005.~~

**GM1 ADR.OPS.D.001 ~~Provision of services~~ Apron requirements**

**SERVICES RESPONSIBILITIES**

The ~~services included in Part D~~ requirements under Subpart D of this Annex need to be ~~provided~~ fulfilled at an aerodrome. In some cases, these ~~services requirements~~ are not directly ~~provided~~ fulfilled by the aerodrome operator but by another organisation or State entity or combination of both. However, the aerodrome operator being responsible for the operation of the aerodrome should have arrangements and interfaces with these organisations or entities to ensure the ~~provision of services~~ fulfilling of requirements according to the legal ~~requirements~~ provisions. ~~The method described above meets with the intention of an integrated Safety Management System that helps the aerodrome operator to ensure the safety objective of the service provision is being met.~~ In completing this action, the aerodrome operator should, hereby, be seen to discharge his responsibility by employing the procedures mentioned above. Furthermore, the aerodrome operator should not be understood to be directly responsible or liable for non-compliances by another entity involved in the arrangement.

**GM2 ADR.OPS.D.001 Provision of services**

**APRON FUNCTIONS**

The following functions are considered essential to ensure the safety of aircraft operation on an apron:

- (a) ~~Management of~~ Establishment and implementation of rules on aircraft movements on the apron;
- (b) ~~Coordination of aircraft entry to/exit from the apron;~~
- (c) ~~Management of~~ Establishment and implementation of rules on apron safety;
- (d) ~~Management of~~ Establishment and implementation of rules on vehicle movements;



- (e) Aircraft stand allocation;
- (f) Marshalling of aircraft;
- (g) Aircraft parking;
- (h) Dissemination of information; and
- (i) Provision of 'Follow me' vehicle.

All or parts of these services functions can be provided fulfilled by the aerodrome operator, a provider of apron management services, the ATS unit, or a combination of the above. The aerodrome operator may also decide to assign certain functions like aircraft stand allocation, marshalling of aircraft, provision of 'Follow me' vehicles to other organisations such as ground handling services providers or airlines. However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements.

#### **SUBPART E — PROVISION OF APRON MANAGEMENT SERVICE (ADR.OPS.E)**

##### **ADR.OPS.D.005 ADR.OPS.E.001 Functions of a provider of apron management services**

When a dedicated unit provides apron management services at an aerodrome are provided, they the service shall include at least the functions required in ADR.OPS.D.015, ADR.OPS.D.020, as well as manage vehicle movements according to the rules established by the aerodrome operator in compliance with ADR.OPS.D.035, ADR.OPS.E.005, ADR.OPS.E.010 and ADR.OPS.E.015.

##### **GM1 ADR.OPS.E.001**

###### **MEANS TO PROVIDE THE SERVICE**

Apron management service can be provided in various forms, including :

- Instructions to aircraft and vehicles through radio frequency by an apron control tower ;
- Marshalling of aircraft ;
- Provision of 'Follow-me' vehicles.

##### **ADR.OPS.E.005 Management of aircraft movement on the apron**

When established on the aerodrome, the apron management service provider shall regulate aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.

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

When established on the aerodrome, the apron management service provider shall coordinate the entry of aircraft to, and exit of aircraft from, the apron with the air traffic services provider.

##### **ADR.OPS.E.015 Management of vehicle movements**

When established on the aerodrome, the apron management service provider shall regulate vehicle movement to ensure their safe and expeditious movement on the apron.

response *Partially accepted*

The inclusion of the requirements for aerodrome operators and providers of apron management services in Subpart D created some confusion concerning the allocation of responsibilities. For this reason, the responsibilities of the aerodrome operator remained in Subpart D and the responsibilities of the provider of apron management services have been included in Subpart E, as proposed. Concerning GM1, comments have partially endorsed in order to keep a similar approach as in GM1 ADR.OPS.B.001.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p data-bbox="360 277 411 309">487</p> <p data-bbox="1158 277 1485 309" style="text-align: right;">comment by: <i>DGAC France</i></p> <p data-bbox="360 333 991 365"><b>Notion of “integrated” Safety Management System</b></p> <p data-bbox="360 369 804 400"><b>Level 2 – Suggestion for clarification</b></p> <p data-bbox="360 405 1485 577">There seems to be a misunderstanding about the definition of “integrated” SMS. In the context of ICAO Annex 19 and safety management issues, an integrated SMS means a SMS which is integrated to other management tools used by the same organization, like quality system or environmental management system. It doesn’t mean that the SMS is interconnected with the SMS of other organizations operating at the aerodrome.</p> <p data-bbox="360 582 1485 651">It is therefore proposed not to employ the concept of “integrated” SMS in this GM, so as to avoid misunderstandings with the ICAO definition.</p> <p data-bbox="360 656 876 687"><b>GM1 ADR.OPS.D.001 Provision of services</b></p> <p data-bbox="360 692 477 723"><b>SERVICES</b></p> <p data-bbox="360 728 1485 1115">The services included in Part D of this Annex need to be provided at an aerodrome. In some cases, these services are not directly provided by the aerodrome operator but by another organisation or State entity or combination of both. However, the aerodrome operator being responsible for the operation of the aerodrome should have arrangements and interfaces with these organisations or entities to ensure the provision of services according to the legal requirements. <del>The method described above meets with the intention of an integrated Safety Management System that helps the aerodrome operator to ensure the safety objective of the service provision is being met.</del> In completing this action, the aerodrome operator should, hereby, be seen to discharge his responsibility by employing the procedures mentioned above. Furthermore, the aerodrome operator should not be understood to be directly responsible or liable for non-compliances by another entity involved in the arrangement.</p> |
| response | <p data-bbox="360 1142 523 1173"><i>Not accepted</i></p> <p data-bbox="360 1200 1485 1301">The notion of the integration is that the SMS considers also the activities of other organisations. In addition to this, it is more appropriate for the aerodrome operator to follow the same approach as in Subpart B of Part-OPS.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p data-bbox="360 1366 411 1397">731</p> <p data-bbox="927 1366 1485 1397" style="text-align: right;">comment by: <i>Pau Pyrénées Airport - PUF/LFBP</i></p> <p data-bbox="360 1424 572 1456">Attachment <a href="#">#148</a></p> <p data-bbox="472 1482 1370 1514" style="text-align: center;"><b>Répartition des missions, responsabilités et principe de sécurité juridique</b></p> <p data-bbox="360 1518 1238 1550">Répartition des missions, responsabilités et principe de sécurité juridique</p> <p data-bbox="360 1554 432 1585">Objet</p> <p data-bbox="360 1590 1485 1659">Les rôles et obligations de chacun sur l’aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.</p> <p data-bbox="360 1664 496 1695">Références</p> <ul style="list-style-type: none"> <li data-bbox="360 1700 1485 1767">┆ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services       <ul style="list-style-type: none"> <li data-bbox="360 1771 1198 1803">o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs</li> </ul> </li> <li data-bbox="360 1807 1355 1839">┆ ADR.OR.D.032 Safety reporting system - providers of apron management services</li> <li data-bbox="360 1843 812 1874">┆ ADR.OPS.D.001 Provision of services       <ul style="list-style-type: none"> <li data-bbox="360 1879 887 1910">o GM1 ADR.OPS.D.001 Provision of services</li> </ul> </li> <li data-bbox="360 1915 1222 1946">┆ ADR.OPS.D.005 Functions of a provider of apron management services</li> <li data-bbox="360 1951 756 1982">┆ ADR.OPS.D.060 Aircraft parking       <ul style="list-style-type: none"> <li data-bbox="360 1986 1426 2018">o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL</li> <li data-bbox="360 2022 1166 2054">o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE</li> </ul> </li> </ul>                                                                                                                                                                                                |



### Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

### Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and



interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliances by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, "

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome”.

GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;

- Operationally on the other hand because these "arrangements" will not still exist (with the



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>State in particular).</p> <p>The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.</p> <p>For example, the Court of justice and the court of the Union judged that :</p> <p>“The community legislation has to be certain and its predictable application for the citizens” CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;</p> <p>“The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact” (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; “The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences” (13 mars 1990, Commission c/ France, C-30/89).</p> <p>Proposal</p> <p>ADR.OPS.D001 :</p> <p>We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :</p> <p>“The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another entity”.</p> <p>GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"</p> <p>ADR.OPS.D.040 Right of way on the apron (b) (3)</p> <p>Replace :</p> <p>(3) other vehicles in accordance with the rules established by the aerodrome operator.</p> <p>by</p> <p>(3) other vehicles in accordance with local regulations.</p> <p>AMC2.ADR.OPS.D.045 (c) Management of the apron safety</p> <p>Replace :</p> <p>(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.</p> <p>by</p> <p>(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.</p> |
| response | <p><i>Noted</i></p> <p>The text is similar to the one in ADR.OPS.B.001 which has already been included in Regulation (EU) No 139/2014.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | <p><b>823</b> comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></p> <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| comment  | 909 ❖ <span style="float: right;">comment by: HIA - Highlands and Islands Airports Limited</span>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | 922 <span style="float: right;">comment by: The Civil Aviation Authority</span>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|          | There is vague division of responsibilities between aerodrome operator and providers of different services:<br>1. (...)the aerodrome operator being responsible for the operation of the aerodrome should have arrangements and interfaces with these organisations or entities to ensure the provision of services according to the legal requirements, but<br>2. (...) the aerodrome operator should not be understood to be directly responsible or liable for non-compliances by another entity involved in the arrangement, however<br>3. (...) the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements.<br>Such ambiguity may lead to serious legal disagreements, especially when something wrong happens at the apron. Therefore it must be specified in the regulation as simple, as possible when aerodrome operator is responsible for actions of other entities acting under the agreement with aerodrome operator. |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | 1033 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                              |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p>                                                       |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                              |
|          | <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                              |
| comment  | 204                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | <p>Replace<br/>"Follow me" vehicle<br/>with<br/>follow-me vehicle<br/>as this is ICAO terminology</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                              |
|          | <p>The term has been revised.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |
| comment  | 440                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>Aena</i>                                                                                                                      |
|          | <p>Although GM2 ADR.OPS.D.001 specifically considers that a ATS provider could also provide apron management services, this document does not include requirements to be applied for such a situation. Our commentary is directed towards an acknowledgement of this option so that duplicity could be avoided, in documents (e.g. Operational Manual), in training, in management systems, etc. Thus the part belonging to apron management services could be integrated within ATS. Some sort of explicit clarification should be made in this sense.</p> |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | <p>The GM explains different approaches which can be used for the allocation of apron functions. Issues related with the operations manual and management system are dealt with in ADR.OR.D.005 and ADR.OR.F.005 where it is allowed to include apron management into the established management systems and manuals.</p>                                                                                                                                                                                                                                   |                                                                                                                                              |
| comment  | 486 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | comment by: <i>DGAC France</i>                                                                                                               |
|          | <p><b>Identification of the apron management services and of the AMS provider</b><br/><b>Level 1 - Fundamental comment</b><br/>Subpart D is entitled "Apron Management Services" : it contains a list of the various requirements which are considered as such services. ADR.OPS.D.001 indicates that these services shall be provided by the aerodrome operator, either directly or by a third party.</p>                                                                                                                                                  |                                                                                                                                              |



However, ADR.OPS.D.005 indicates that *when apron management services are provided*, they shall include at least ADR.OPS.D.015, ADR.OPS.B.020 and ADR.OPS.D.035. So there seems to be a contraction between this IR and ADR.OPS.D.001 : on the one hand, we understand that every service listed in this subpart shall be provided, whereas on the other hand, we are told only three of them are mandatory.

This misunderstanding is due to the fact the definition of “apron management service” in ICAO Annex 14 paragraph 9.5.1 is more restrictive than the definition of “apron management services” as given in the NPA. According to ICAO, “*when warranted by the volume of traffic and operating conditions, an appropriate apron management service should be provided [...]in order to :*

- a) regulate movement with the objective of preventing collisions between aircraft, and between aircraft and obstacles;*
- b) regulate entry of aircraft into, and coordinate exit of aircraft from, the apron with the aerodrome control tower; and*
- c) ensure safe and expeditious movement of vehicles and appropriate regulation of other activities.”*

These three items correspond to the three IR quoted in ADR.OPS.D.005, namely ADR.OPS.D.015, ADR.OPS.B.020 and ADR.OPS.D.035, whereas the NPA designates as apron management services the whole list of IR contained in Subpart D.

Some IR of Subpart D, as they are written, can be considered as requirements rather than services : for example : establishing written agreements (ADR.OPS.D.010), ensuring that appropriate number of frequencies are assigned (OPS.D.025), establishing driving rules (ADR.OPS.D.035) or establishing safety rules (OPS.D.045), etc. are not “services” as such. These IR apply in any case, whether or not an AMS unit is established at the aerodrome.

It is therefore proposed to adopt the AMS definition of ICAO Annex 14, as being the three functions that are provided by a **dedicated AMS unit (= AMS provider)**, when such a unit is established.

It is necessary to distinguish between IR applying to the aerodrome operator, whether or not an AMS unit is established, and IR applying to this AMS unit when established. These specific IR should be in a dedicated Subpart “AMS provider requirements”. More specifically, some IR of Subpart D as they are written may apply to both aerodrome operator and AMS provider at a different level, and should therefore be split into two IRs : on the one hand, a requirement applicable to the aerodrome operator regardless of the existence of an AMS provider (for example : define high-level safety rules, define driving rules), on the other hand a requirement applicable to the AMS provider, requiring the latter to integrate the rules defined by the AD operator into its own operational procedures.

The matrix below proposes an allocation of current Subpart D IRs between the AD operator, the AMS provider when established, and third parties. For clarity purposes, requirements applying to AMS provider could be listed in a new “Subpart E”.

| REF | TITLE                                                | ADR.OPS.D                                                            | List of rules applicable to |                |               |
|-----|------------------------------------------------------|----------------------------------------------------------------------|-----------------------------|----------------|---------------|
|     |                                                      |                                                                      | D- the aerodrome operator   | E-the AMS unit | A third party |
| 001 | Provision of services                                | <b>ADR.OPS.D.001<br/>Provision of services</b>                       | x                           |                |               |
| 005 | Functions of a provider of apron management services | <b>ADR.OPS.D.005<br/>Functions of a provider of apron management</b> |                             | x              |               |



|     |                                                                                                              |                                                                                                                                       |                                |                                      |                                            |
|-----|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------------------|--------------------------------------------|
|     |                                                                                                              | <b>services</b>                                                                                                                       |                                |                                      |                                            |
| 010 | Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit | <b>ADR.OPS.D.010<br/>Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b> | x                              | x                                    |                                            |
| 015 | Management of aircraft movement on the apron                                                                 | <b>ADR.OPS.D.015<br/>Management of aircraft movement on the apron</b>                                                                 | x<br>(definition of the rules) | x<br>(application of the rules)      |                                            |
| 020 | Coordination of aircraft entry to /exit from the apron                                                       | <b>ADR.OPS.D.020<br/>Coordination of aircraft entry to /exit from the apron</b>                                                       |                                | x                                    |                                            |
| 025 | Apron management services boundaries                                                                         | <b>ADR.OPS.D.025<br/>Apron management services boundaries</b>                                                                         | x                              |                                      |                                            |
| 030 | Assignment of radio frequencies to apron management services                                                 | <b>ADR.OPS.D.030<br/>Assignment of radio frequencies to apron management services</b>                                                 |                                |                                      | State                                      |
| 035 | Management of vehicle movements                                                                              | <b>ADR.OPS.D.035<br/>Management of vehicle movements</b>                                                                              | x<br>(definition of the rules) | x<br>(application of the rules)      |                                            |
| 040 | Right of way on the apron                                                                                    | <b>ADR.OPS.D.040<br/>Right of way on the apron</b>                                                                                    | x<br>(definition of the rules) | x<br>(application of the rules)      |                                            |
| 045 | Management of apron safety                                                                                   | <b>ADR.OPS.D.045<br/>Management of apron safety</b>                                                                                   | x                              |                                      |                                            |
| 050 | Aircraft stand allocation                                                                                    | <b>ADR.OPS.D.050<br/>Aircraft stand allocation</b>                                                                                    | x                              |                                      |                                            |
| 055 | Marshalling of aircraft                                                                                      | <b>ADR.OPS.D.055<br/>Marshalling of aircraft</b>                                                                                      |                                | x ? (if marshalling included in AMS) | Ground handler employing marshallers       |
| 060 | Aircraft parking                                                                                             | <b>ADR.OPS.D.060<br/>Aircraft parking</b>                                                                                             |                                | x? (if marshalling included in AMS)  | Ground handler guiding the aircraft, pilot |



|     |                                           |                                                         |   |   |                                                                           |
|-----|-------------------------------------------|---------------------------------------------------------|---|---|---------------------------------------------------------------------------|
| 065 | Aircraft departure                        | ADR.OPS.D.065<br>Aircraft departure                     |   |   | Ground handler guiding the aircraft, pilot                                |
| 070 | Start-up clearances and taxi instructions | ADR.OPS.D.070 Start-up clearances and taxi instructions |   | x |                                                                           |
| 075 | Dissemination of information to operators | ADR.OPS.D.075 Dissemination of information to operators | x |   |                                                                           |
| 080 | Alerting of emergency services            | ADR.OPS.D.080 Alerting of emergency services            | x | x |                                                                           |
| 085 | Training                                  | ADR.OPS.D.085 Training                                  |   | x | Employer of marshallers and leader van drivers (if not considered as AMS) |

ADR.OPS.D.001 and ADR.OPS.D.005, as well as their associated GMs, should be amended accordingly :

- ADR.OPS.D.001 relates to the responsibilities of aerodrome operators, irrespective of the establishment of an AMS provider. In particular, GM2 ADR.OPS.D.001 should not mention services provided by an AMS unit (marshalling, follow-me, etc.) as “essential” on an apron, as these services may not be provided on small airports.

- ADR.OPS.D.005 relates to the functions of an AMS unit, and should be moved in new Subpart E. **In this respect, introducing a GM explaining what kind of provider an AMS unit may be, and what may be the means used to provide the service, would be very useful to clearly identify these units (see proposal for GM1 ADR.OPS.E.001). In particular, there is an ambiguity concerning marshallers and leader vans ('follow-me' vehicles) : it is not clear whether these services are in the scope of an AMS unit or not. AMC1 ADR.OPS.D.055, D.060 and D.085 are examples of rules which are ambiguous from this point of view, because we don't know whether they apply to AMS or to other entities. We infer that at some airports, Follow-me vehicles is a way to provide AMS, whereas at other airports, Follow-me vehicles simply operate as ground handlers or ANSP, without an AMS being provided. This should however be clarified in the text.**

#### **SUBPART D — APRON MANAGEMENT SERVICES REQUIREMENTS (ADR.OPS.D)**

##### **ADR.OPS.D.001 ~~Provision of services~~ Apron requirements**

The ~~services~~ requirements under Subpart D of this Annex shall be ~~provided~~ fulfilled at the aerodrome by the aerodrome operator directly or indirectly, ~~in accordance with ADR.OPS.D.005.~~

##### **GM1 ADR.OPS.D.001 ~~Provision of services~~ Apron requirements**

##### **SERVICES RESPONSIBILITIES**

The ~~services included in Part D~~ requirements under Subpart D of this Annex need to be ~~provided~~ fulfilled at an aerodrome. In some cases, these ~~services~~ requirements are not directly ~~provided~~ fulfilled by the aerodrome operator but by another organisation or State entity or combination of both. However, the aerodrome operator being responsible for the



operation of the aerodrome should have arrangements and interfaces with these organisations or entities to ensure the provision of services fulfilling of requirements according to the legal requirements provisions. The method described above meets with the intention of an integrated Safety Management System that helps the aerodrome operator to ensure the safety objective of the service provision is being met. In completing this action, the aerodrome operator should, hereby, be seen to discharge his responsibility by employing the procedures mentioned above. Furthermore, the aerodrome operator should not be understood to be directly responsible or liable for non-compliances by another entity involved in the arrangement.

#### **GM2 ADR.OPS.D.001 Provision of services**

##### **APRON FUNCTIONS**

The following functions are considered essential to ensure the safety of aircraft operation on an apron:

- (a) Management of Establishment and implementation of rules on aircraft movements on the apron;
- (b) Coordination of aircraft entry to/exit from the apron;
- (c) Management of Establishment and implementation of rules on apron safety;
- (d) Management of Establishment and implementation of rules on vehicle movements;
- (e) Aircraft stand allocation;
- (f) Marshalling of aircraft;
- (g) Aircraft parking;
- (h) Dissemination of information; and
- (i) Provision of 'Follow me' vehicle.

All or parts of these services functions can be provided fulfilled by the aerodrome operator, a provider of apron management services, the ATS unit, or a combination of the above. The aerodrome operator may also decide to assign certain functions like aircraft stand allocation, marshalling of aircraft, provision of 'Follow me' vehicles to other organisations such as ground handling services providers or airlines. However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements.

#### **SUBPART E — PROVISION OF APRON MANAGEMENT SERVICE (ADR.OPS.E)**

##### **ADR.OPS.D.005 ADR.OPS.E.001 Functions of a provider of apron management services**

When a dedicated unit provides apron management services at an aerodrome are provided, they the service shall include at least the functions required in ADR.OPS.D.015, ADR.OPS.D.020, as well as manage vehicle movements according to the rules established by the aerodrome operator in compliance with ADR.OPS.D.035. ADR.OPS.E.005, ADR.OPS.E.010 and ADR.OPS.E.015.

##### **GM1 ADR.OPS.E.001**

##### **MEANS TO PROVIDE THE SERVICE**

Apron management service can be provided in various forms, including :

- Instructions to aircraft and vehicles through radio frequency by an apron control tower ;
- Marshalling of aircraft ;
- Provision of 'Follow-me' vehicles.

##### **ADR.OPS.E.005 Management of aircraft movement on the apron**

When established on the aerodrome, the apron management service provider shall regulate aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.

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

When established on the aerodrome, the apron management service provider shall coordinate the entry of aircraft to, and exit of aircraft from, the apron with the air traffic



services provider.  
**ADR.OPS.E.015 Management of vehicle movements**  
 When established on the aerodrome, the apron management service provider shall regulate vehicle movement to ensure their safe and expeditious movement on the apron.

response *Accepted*

The comment on GM2 has been accepted and text has been revised accordingly.

comment 597

comment by: *Belgian CAA*

Add "where deemed appropriate" to (i).

response *Noted*

Point (i) has been deleted since it could be considered as a means to implement point (a) 'management of aircraft movement on the apron'.

comment 774

comment by: *IFATCA*

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS The following functions are considered essential to ensure the safety of aircraft operation on an apron:

(a) Management of aircraft movements on the apron, including push back operations on the aircraft stand ;

response *Accepted*

The text has been revised accordingly.

comment 775

comment by: *IFATCA*

to be complete

response *Accepted*

comment 907

comment by: *ADP : Aeroports de Paris*

Cf. ADP comments # 897 and 898

response *Noted*



The GM has been revised and the marshalling of aircraft and the provision of Follow-Me vehicles have been deleted, since they are considered as a means to implement point (a) of the GM.

comment 909 ❖ comment by: *HIA - Highlands and Islands Airports Limited*

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response *Noted*

comment 923 comment by: *The Civil Aviation Authority*

There is vague division of responsibilities between aerodrome operator and providers of different services:

1. (...)the aerodrome operator being responsible for the operation of the aerodrome should have arrangements and interfaces with these organisations or entities to ensure the provision of services according to the legal requirements, but
2. (...) the aerodrome operator should not be understood to be directly responsible or liable for non-compliances by another entity involved in the arrangement, however
3. (...) the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements.

Such ambiguity may lead to serious legal disagreements, especially when something wrong happens at the apron. Therefore it must be specified in the regulation as simple, as possible when aerodrome operator is responsible for actions of other entities acting under the agreement with aerodrome operator.

response *Noted*

The GM is almost identical with GM1 ADR.OPS.B.001 in ED 2014/012/R.

comment 924 comment by: *The Civil Aviation Authority*

In case of absence of ATS (performing functions on apron), it must be clear that it is acceptable to provide safe maneuvering of the aircraft only by appropriate signals by marshallars (visual means of communication and guidance).

In our opinion it is sufficient and really important for smaller aerodromes.

Polish CAA intention is to guarantee possibility of maintaining actual state and shape of the apron management service as described in comment to point 2.3.4.4 Economic impact.

response *Accepted*

This is already included in AMC1 ADR.OPS.D.010.

comment 974 comment by: *Federal Office of Civil Aviation FOCA*

FOCA suggests to add "(j) coordination of rescue vehicles in case of emergency". Justification: The procedures on the apron respective to ground movements (priorization) are essential in case of an emergency. Staff must be trained for such special operations.



response *Noted*

This is dealt with in the 'right of way on the apron' Implementing Rule

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.010(a)(1) Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit** p. 59-60

comment 66

comment by: *Flughafen Berlin Brandenburg GmbH*

Winter procedures are a crucial part of apron management and should therefore be added to the list.

response *Accepted*

comment 128 ❖

comment by: *ADV - German Airports Association*

Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 359

comment by: *Aéroports De Lyon*

**AMC1 ADR.OPS.D.010(a)(1) Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit**

**WRITTEN AGREEMENT BETWEEN THE AERODROME OPERATOR AND THE PROVIDER OF APRON MANAGEMENT SERVICES**

The written agreement between the aerodrome operator and the provider of apron management services should include at least the following:

- (a) Duration of the agreement;
- (b) Definition of the area where apron management services will be provided;
- (c) Definition of the functions that will be conducted by the provider of apron management services;
- (d) Communication procedures including means of communication;
- (e) Operational procedures for coordination;
- (f) Coordination of vehicle movements;
- (g) Low visibility operations;
- (h) Emergency procedures; and
- (i) Dissemination of information.

[Commentaire : Peut-il y avoir plusieurs fournisseurs d'AMS \(suivant le domaine de](#)



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>compétence de chaque entité actuelle) ? Si c'est le cas, qui est responsable ? , aujourd'hui, chacun est responsable de son domaine de compétence, il n'y a pas une entité responsable de toutes les activités de l'AMS.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| response | <p><i>Noted</i></p> <p>More than one apron management services provider could be established on an aerodrome, depending on the operational needs. This is a decision that should be taken by the aerodrome operator.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>488 ❖ <span style="float: right;">comment by: DGAC France</span></p> <p><b>ADR.OPS.D.010 Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b><br/> <b>Level 2 – Suggestion for clarification</b><br/> See also general comment on Subpart D and ADR.OPS.D.001.<br/> ADR.OPS.D.010 should be split into two IRs :</p> <ul style="list-style-type: none"> <li>- (a)(1) applies to the aerodrome operator and should therefore stay in Subpart D, applying to the aerodrome operator ;</li> <li>- (a)(2) applies to the AMS provider, when established, and should therefore be moved in new Subpart E, related to AMS ;</li> <li>- (b) is a particular case already dealt by (a), is therefore useless and should be deleted.</li> </ul> <p><b>ADR.OPS.D.010 Written agreement between the aerodrome operator and the provider of apron management services, the aerodrome operator and the ATS Unit</b><br/> <del>(a)</del> The aerodrome operator shall:<br/> <del>(1)</del> have a written agreement with the provider of apron management services when such a provider has been established on the aerodrome;</p> <p><b>ADR.OPS.D.010 ADR.OPS.E.020 Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b><br/> The apron management service provider shall have<br/> <del>(2)</del> ensure that formal arrangements are established between the provider of apron management services and with the air traffic services provider, for the coordination of apron activities with the manoeuvring area activities.<br/> <del>(b)</del> When the aerodrome operator or the air traffic services provider provides apron management services in accordance with the provisions of ADR.OPS.D.005, formal arrangements shall be in place between the aerodrome operator and the air traffic services provider for the coordination of apron activities with the manoeuvring area activities.</p> <p><b>AMC1 ADR.OPS.D.010(a)(1) Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b><br/> WRITTEN AGREEMENT BETWEEN THE AERODROME OPERATOR AND THE PROVIDER OF APRON MANAGEMENT SERVICES<br/> [...]</p> <p><b>AMC1 ADR.OPS.D.010(a)(2);(b) ADR.OPS.E.020 Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b><br/> FORMAL ARRANGEMENTS<br/> The formal arrangements between the provider of apron management services and the ATS Unit <del>or between the aerodrome operator, when it provides apron management services, and the ATS Unit</del> should include at least the following:<br/> [...]</p> |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



Please refer to the reply in comment No 486.

|          |                                                |                                             |
|----------|------------------------------------------------|---------------------------------------------|
| comment  | 541                                            | comment by: <i>Swedish Transport Agency</i> |
|          | Winter procedures should be added to the list. |                                             |
| response | <i>Accepted</i>                                |                                             |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| comment  | 765                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>IFATCA</i> |
|          | <p>"IFATCA is of the opinion that the area of responsibility in regard to the division between apron management should be clearly defined and displayed on aerodrome and apron charts. When ATC has no responsibility on the apron, it should be unambiguous and clear to all users where the responsibility of apron management starts and ends.</p> <p>The requirements are covered off through AMC1 ADR.OPS.D.010(a)(2);(b) (page 60) whereby an LOA with the ATS unit should define the areas of responsibility as well as arrangements for LVOs</p> |                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           |

|          |                                                                                                                                                                                            |                                                                 |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| comment  | 909 ❖                                                                                                                                                                                      | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                               |                                                                 |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.010(a)(2);(b) Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit**

p. 60

|          |                                                                                                                                |                                                      |
|----------|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 67                                                                                                                             | comment by: <i>Flughafen Berlin Brandenburg GmbH</i> |
|          | Winter procedures are a crucial part of apron management and should therefore be added to the list.                            |                                                      |
| response | <i>Accepted</i>                                                                                                                |                                                      |
|          | The AMC has been moved to Subpart E and the new number is AMC1 ADR.OPS.E.020. Winter Operations have been included in the AMC. |                                                      |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                      |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                  | comment by: <i>ADV - German Airports Association</i> |
|         | <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the</p> |                                                      |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | apron management services provider should...."<br><i>Accepted</i><br>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                    |
| comment  | 129 <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span><br>Winter procedures are a crucial part of apron management and should therefore be added to the list.                                                                                                                                                                                                                                                                                                  |
| response | <i>Accepted</i><br>The AMC has been moved to Subpart E and the new number is AMC1 ADR.OPS.E.020.<br>Winter Operations have been included in the AMC.                                                                                                                                                                                                                                                                                                                                                |
| comment  | 215 <span style="float: right;">comment by: <i>Swedavia AB - Swedish airports</i></span><br>Winter procedures are a crucial part of apron management and should therefore be added to the list.                                                                                                                                                                                                                                                                                                     |
| response | <i>Accepted</i><br>The AMC has been moved to Subpart E and the new number is AMC1 ADR.OPS.E.020.<br>Winter Operations have been included in the AMC.                                                                                                                                                                                                                                                                                                                                                |
| comment  | 222 <span style="float: right;">comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></span><br>Review the term "handover point" in paragraph (b) as this is not necessarily a specific point but oftentimes an area where the handover is performed.<br>In Germany the handover is for example initiated by the instruction to "contact [aerodrome location] apron, 999.9"<br>Proposal: "handover location" |
| response | <i>Noted</i><br>The ICAO term is 'handover point'.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | 324 <span style="float: right;">comment by: <i>Avinor</i></span><br>Winter procedures are a crucial part of apron management and should therefore be added to the list.                                                                                                                                                                                                                                                                                                                             |
| response | <i>Accepted</i><br>The AMC has been moved to Subpart E and the new number is AMC1 ADR.OPS.E.020.<br>Winter Operations has been included in the AMC                                                                                                                                                                                                                                                                                                                                                  |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>436 <span style="float: right;">comment by: ACI EUROPE (Airports Council International)</span></p> <p>Winter procedures are a crucial part of apron management and should therefore be added to the list.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| response | <p><i>Accepted</i></p> <p>The AMC has been moved to Subpart E and the new number is AMC1 ADR.OPS.E.020.</p> <p>Winter Operations have been included in the AMC.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | <p>488 ❖ <span style="float: right;">comment by: DGAC France</span></p> <p><b>ADR.OPS.D.010 Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b></p> <p><b>Level 2 – Suggestion for clarification</b></p> <p>See also general comment on Subpart D and ADR.OPS.D.001.</p> <p>ADR.OPS.D.010 should be split into two IRs :</p> <ul style="list-style-type: none"> <li>- (a)(1) applies to the aerodrome operator and should therefore stay in Subpart D, applying to the aerodrome operator ;</li> <li>- (a)(2) applies to the AMS provider, when established, and should therefore be moved in new Subpart E, related to AMS ;</li> <li>- (b) is a particular case already dealt by (a), is therefore useless and should be deleted.</li> </ul> <p><b>ADR.OPS.D.010 Written agreement between the aerodrome operator and the provider of apron management services, the aerodrome operator and the ATS Unit</b></p> <p><del>(a)</del> The aerodrome operator shall:</p> <p><del>(1)</del> have a written agreement with the provider of apron management services when such a provider has been established on the aerodrome;</p> <p><b>ADR.OPS.D.010 ADR.OPS.E.020 Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b></p> <p><del>The apron management service provider shall have</del></p> <p><del>(2)</del> ensure that formal arrangements are established between the provider of apron management services and with the air traffic services provider, for the coordination of apron activities with the manoeuvring area activities.</p> <p><del>(b) When the aerodrome operator or the air traffic services provider provides apron management services in accordance with the provisions of ADR.OPS.D.005, formal arrangements shall be in place between the aerodrome operator and the air traffic services provider for the coordination of apron activities with the manoeuvring area activities.</del></p> <p><b>AMC1 ADR.OPS.D.010(a)(1) Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b></p> <p>WRITTEN AGREEMENT BETWEEN THE AERODROME OPERATOR AND THE PROVIDER OF APRON MANAGEMENT SERVICES</p> <p>[...]</p> <p><b>AMC1 ADR.OPS.D.010(a)(2);(b) ADR.OPS.E.020 Written agreement between the provider of apron management services, the aerodrome operator and the ATS Unit</b></p> <p>FORMAL ARRANGEMENTS</p> <p>The formal arrangements between the provider of apron management services and the ATS Unit <del>or between the aerodrome operator, when it provides apron management services, and the ATS Unit</del> should include at least the following:</p> <p>[...]</p> |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                           |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
|          | The AMC has been moved to Subpart E, and the new number is AMC1 ADR.OPS.E.020.                                                                                                                                                                                                                                                                                                                                                                                      |                                                                           |
| comment  | 599                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Belgian CAA</i>                                            |
|          | (g) <...> push back <u>authorisations</u> ;<br>(h) Coordination of <u>vehicle movements</u> ;                                                                                                                                                                                                                                                                                                                                                                       |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                           |
| comment  | 776                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>IFATCA</i>                                                 |
|          | IFATCA is of the opinion that the area of responsibility in regard to the division between apron management should be clearly defined and displayed on aerodrome and apron charts. When ATS has no responsibility on the apron, it should be unambiguous and clear to all users where the responsibility of apron management starts<br>New I) all the above arrangements shall be display as information to all the stakeholders on the aerodrome and apron charts. |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                           |
| comment  | 824                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | Winter procedures are a crucial part of apron management and should therefore be added to the list.                                                                                                                                                                                                                                                                                                                                                                 |                                                                           |
| response | <i>Accepted</i><br>The AMC has been moved to Subpart E and the new number is AMC1 ADR.OPS.E.020.<br>Winter Operations have been included in the AMC.                                                                                                                                                                                                                                                                                                                |                                                                           |
| comment  | 874                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Vienna International Airport</i>                           |
|          | Bad weather operations is not mentioned (e.g. winter operations, thunderstorm,...)                                                                                                                                                                                                                                                                                                                                                                                  |                                                                           |
| response | <i>Accepted</i><br>The AMC has been moved to Subpart E, and the new number is AMC1 ADR.OPS.E.020.<br>Winter Operations have been included in the AMC.                                                                                                                                                                                                                                                                                                               |                                                                           |
| comment  | 909 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                               | comment by: <i>HIA - Highlands and Islands Airports Limited</i>           |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                                                                                                                                                                                                                                                          |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                           |
| comment  | 952                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>ENAC Ente Nazionale per l'Aviazione Civile (Italia)</i>    |
|          | Insert in the list "operations in winter conditions".                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                           |



response

*Accepted*

The AMC has been moved to Subpart E, and the new number is AMC1 ADR.OPS.E.020.

Winter Operations have been included in the AMC.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.015 Management of aircraft movement on the apron**

p. 60

comment

128 ❖

comment by: *ADV - German Airports Association*

Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response

*Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment

300

comment by: *European Transport Workers Federation - ETF*

Given the GM, datalink communications seem not to be covered, yet it might be a way to communicate these instructions.

response

*Noted*

comment

489 ❖

comment by: *DGAC France*

**ADR.OPS.D.015 Management of aircraft movement on the apron**

**Level 1 - Fundamental comment**

See also general comment on Subpart D and ADR.OPS.D.001.

ADR.OPS.D.015 should be split into two IRs :

- Strategic level : the AD operator shall ensure high-level rules are established and implemented ;

- Tactical level : the AMS provider, if established, shall manage aircraft movement taking these high-level rules into account. Cf proposal made for new ADR.OPS.E.005.

AMC1 ADR.OPS.D.015 applies to guidance of aircraft by AMS providers when established : it should be moved in Subpart E.

GM1 ADR.OPS.D.015 is related to visual aids provided by aerodrome operators, irrespective of the presence of an AMS, and should remain in Subpart D.

**ADR.OPS.D.015 Management of aircraft movement on the apron**

The aerodrome operator shall ensure that means and procedures are in place for the management of aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.



**ADR.OPS.E.005 Regulation of aircraft movement on the apron**

When established on the aerodrome, the apron management service provider shall regulate aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.

**AMC1 — ADR.OPS.D.015 AMC1 ADR.OPS.E.005 Management — Regulation of aircraft movement on the apron****AIRCRAFT GUIDANCE**

Prior to the movement of aircraft on the apron, the aerodrome operator should ensure that appropriate instructions are should be provided to the persons directly responsible for in charge of the safe manoeuvring of the aircraft either by:

- (a) issuing verbal instructions on a pre-determined radio frequency; or
- (b) a leader van; or
- (c) appropriate signals by marshalls; or
- (d) other means of guidance; or
- (e) a combination of the above.

**GM1 ADR.OPS.D.015 Management of aircraft movement on the apron****OTHER MEANS OF GUIDANCE — VISUAL AIDS**

Other means of guidance may be Visual aids such as markings, lights, signs and/or markers that may provide information to the persons directly responsible for the aircraft manoeuvring on the apron.

response *Partially accepted*

A division of the responsibilities between the aerodrome operator and the provider of apron management services has been proposed. The aerodrome operator has to ensure that means and procedures are in place for the management of aircraft movement on the apron, while the provider of apron management services, if established, has to apply the procedures by using the available means.

comment 598

comment by: *Belgian CAA*

Replace "leader van" by "follow me vehicle".

response *Accepted*

comment 909 ❖

comment by: *HIA - Highlands and Islands Airports Limited*

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response *Noted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM1 ADR.OPS.D.015 Management of aircraft movement on the apron** p. 60-61

comment 128 ❖

comment by: *ADV - German Airports Association*

Most of the paragraphs and requirements in Subpart D are related to the aerodrome



operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 489 ❖

comment by: DGAC France

#### **ADR.OPS.D.015 Management of aircraft movement on the apron**

##### **Level 1 - Fundamental comment**

See also general comment on Subpart D and ADR.OPS.D.001.

ADR.OPS.D.015 should be split into two IRs :

- Strategic level : the AD operator shall ensure high-level rules are established and implemented ;

- Tactical level : the AMS provider, if established, shall manage aircraft movement taking these high-level rules into account. Cf proposal made for new ADR.OPS.E.005.

AMC1 ADR.OPS.D.015 applies to guidance of aircraft by AMS providers when established : it should be moved in Subpart E.

GM1 ADR.OPS.D.015 is related to visual aids provided by aerodrome operators, irrespective of the presence of an AMS, and should remain in Subpart D.

#### **ADR.OPS.D.015 Management of aircraft movement on the apron**

The aerodrome operator shall ensure that means and procedures are in place for the management of aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.

#### **ADR.OPS.E.005 Regulation of aircraft movement on the apron**

When established on the aerodrome, the apron management service provider shall regulate aircraft movement on the apron, to prevent collisions between aircraft, and between aircraft and obstacles.

#### **AMC1 ADR.OPS.D.015 AMC1 ADR.OPS.E.005 Management Regulation of aircraft movement on the apron**

##### **AIRCRAFT GUIDANCE**

Prior to the movement of aircraft on the apron, the aerodrome operator should ensure that appropriate instructions are should be provided to the persons directly responsible for in charge of the safe manoeuvring of the aircraft either by:

- (a) issuing verbal instructions on a pre-determined radio frequency; or
- (b) a leader van; or
- (c) appropriate signals by marshallers; or
- (d) other means of guidance; or
- (e) a combination of the above.

#### **GM1 ADR.OPS.D.015 Management of aircraft movement on the apron**

##### **OTHER MEANS OF GUIDANCE VISUAL AIDS**

Other means of guidance may be Visual aids such as markings, lights, signs and/or markers that may provide information to the persons directly responsible for the aircraft manoeuvring on the apron.



response *Accepted*  
The proposed changes on the GM have been accepted.

comment 909 ❖ comment by: *HIA - Highlands and Islands Airports Limited*  
A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response *Noted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron** p. 61

comment 8 comment by: *Jan Loncke*  
AMC1 ADR.OPS.D.020 (b) :  
Consider rewording 'leader van service'.  
Suggestion : "Follow-me service".

response *Accepted*  
The new number for the AMC is AMC1 ADR.OPS.D.015 and term 'leader van service' has been changed to 'FOLLOW-ME vehicle'.

comment 128 ❖ comment by: *ADV - German Airports Association*  
Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*  
The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 255 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre*  
Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.

response *Accepted*  
ADR.OPS.D.020 has been divided in two parts. The first part (new number ADR.OPS.D.015)



refers to the responsibility of the aerodrome operator to ensure that coordination procedures for aircraft entry to/ exit from the apron are established, while the second part (ADR.OPS.E.010) refers to the responsibility of the provider of apron management services to coordinate the aircraft entry to/exit from the apron with the air traffic services.

comment 301 comment by: *European Transport Workers Federation - ETF*

The ATS unit needs a contact point on the aerodrome operator side even when (a), (b) and (c) are not present.

response *Noted*

comment 325 comment by: *Avinor*

Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone. Amend (a) to: "(a) the boundaries as described according to ADR.OPS.D.025;"

response *Noted*

comment 490 ❖ comment by: *DGAC France*

#### **ADR.OPS.D.020 Coordination of aircraft entry to / exit from the apron**

##### **Level 1 - Fundamental comment**

See also general comment on Subpart D and ADR.OPS.D.001.

ADR.OPS.D.020 applies to coordination between AMS providers and ATS : see ICAO Annex 14 para 9.5.2. It should therefore apply to the AMS provider and be moved in new Subpart E, as well as its associated AMCs.

As regards AMC1 ADR.OPS.D.020, the redaction should be more generic. **As the NPA gives no definition of the means that can be used to provide AMS, it is not clear whether leader van or marshalling can be seen as a specific means to provide the AMS service, just like apron control tower is another means. This should be clarified. AMC1 ADR.OPS.D.020 gives the impression that leader van service and marshalling are considered out of the scope of an AMS unit.**

As regards GM1 ADR.OPS.B.020, holding areas may exist whether or not an AMS provider is established. These areas may be used by aircraft independently from the process of "coordination of aircraft entry to / exit from the apron" between the AMS provider and the ANSP. The corresponding GM should therefore be linked with ADR.OPS.D.015, dealing with "management of aircraft movement on the apron", rather than with ADR.OPS.D.020. The location of such areas should be coordinated between the aerodrome operator, the ANSP, and the AMS provider if the latter exists.

#### **ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to /exit from the apron**

~~The aerodrome operator shall ensure that~~ **The apron management service provider shall have coordination procedures for** entry of aircraft to, and exit of aircraft from, the apron is coordinated with the air traffic services provider.

#### **AMC1 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron COORDINATION**

~~The aerodrome operator~~ **apron management service provider** in cooperation with air traffic services should establish coordination procedures for the handover of aircraft between air



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>traffic services and:<br/> <del>(a) apron management services unit, when established; or</del><br/> <del>(b) a leader van service; or</del><br/> <del>(c) marshalling services.</del><br/> <b>AMC2 ADR.OPS.D.020ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron</b><br/> <b>HANDOVER POINTS</b><br/> The aerodrome operator <b>apron management service provider</b>, in cooperation with air traffic services, should establish handover point(s) between the apron and the manoeuvring area, when traffic is managed by two different units.<br/> <b>AMC3 ADR.OPS.D.020ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron</b><br/> <b>COORDINATION PROCEDURE</b><br/> The aerodrome operator <b>apron management service provider</b> in cooperation with air traffic services should establish coordination procedures containing at least:<br/> (a) the boundaries of the area where apron management services <del>are</del> <b>is</b> provided;<br/> (b) the handover points between apron and manoeuvring area;<br/> (c) the holding areas;<br/> (d) the means of guidance for the aircraft taxiing;<br/> (e) the operational information to be exchanged between both parties; and<br/> (f) the push back operations, when interfering with the manoeuvring area.<br/> <b>GM1 ADR.OPS.D.020GM2 ADR.OPS.D.015 Coordination of aircraft entry to/exit from the apron</b><br/> <b>HOLDING AREAS</b><br/> When aircraft parking stands are not available, then it is necessary to define areas where arriving aircraft will hold until an aircraft stand is vacant. The location of the holding areas should be agreed between the aerodrome operator, <del>and</del> the air traffic services <b>and the provider of apron management services if established</b>, taking into account various factors such as the movement area layout, traffic density, etc.</p> |
| response | <p><i>Partially accepted</i></p> <p>Both the aerodrome operator and the provider of apron management services have responsibilities for the coordination of aircraft entry to/exit from the apron. The aerodrome operator, irrespective of the existence of a provider of apron management services, has to ensure that coordination procedures are in place with the air traffic services and that handover points have been established (included in Subpart D). On the other hand, the provider of apron management services, when established has to implement the procedure in cooperation with the air traffic services provider (included in Subpart E).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>600 <span style="float: right;">comment by: <i>Belgian CAA</i></span></p> <p>Add "when traffic is managed by two different units".</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| response | <p><i>Not accepted</i></p> <p>The AMC clearly establishes the units where the coordination between them is necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>909 ❖ <span style="float: right;">comment by: <i>HIA - Highlands and Islands Airports Limited</i></span></p> <p>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



response *Noted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC2 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron**

p. 61

comment 128 ❖ comment by: *ADV - German Airports Association*

Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 222 ❖ comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre*

Review the term "handover point" in paragraph (b) as this is not necessarily a specific point but oftentimes an area where the handover is performed.  
In Germany the handover is for example initiated by the instruction to "contact [aerodrome location] apron, 999.9"  
Proposal: "handover location"

response *Noted*

The ICAO term is 'handover point'.

comment 255 ❖ comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre*

Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.

response *Accepted*

ADR.OPS.D.020 has been divided in two parts. The first part (new number ADR.OPS.D.015) refers to the responsibility of the aerodrome operator to ensure that coordination procedures for aircraft entry to/exit from the apron are established, while the second part (ADR.OPS.E.010) refers to the responsibility of the provider of apron management services to coordinate the aircraft entry to/exit from the apron with the air traffic services.

comment 490 ❖

comment by: *DGAC France*



**ADR.OPS.D.020 Coordination of aircraft entry to / exit from the apron****Level 1 - Fundamental comment**

See also general comment on Subpart D and ADR.OPS.D.001.

ADR.OPS.D.020 applies to coordination between AMS providers and ATS : see ICAO Annex 14 para 9.5.2. It should therefore apply to the AMS provider and be moved in new Subpart E, as well as its associated AMCs.

As regards AMC1 ADR.OPS.D.020, the redaction should be more generic. **As the NPA gives no definition of the means that can be used to provide AMS, it is not clear whether leader van or marshalling can be seen as a specific means to provide the AMS service, just like apron control tower is another means. This should be clarified. AMC1 ADR.OPS.D.020 gives the impression that leader van service and marshalling are considered out of the scope of an AMS unit.**

As regards GM1 ADR.OPS.B.020, holding areas may exist whether or not an AMS provider is established. These areas may be used by aircraft independently from the process of "coordination of aircraft entry to / exit from the apron" between the AMS provider and the ANSP. The corresponding GM should therefore be linked with ADR.OPS.D.015, dealing with "management of aircraft movement on the apron", rather than with ADR.OPS.D.020. The location of such areas should be coordinated between the aerodrome operator, the ANSP, and the AMS provider if the latter exists.

**ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to /exit from the apron**

~~The aerodrome operator shall ensure that~~ **The apron management service provider shall have coordination procedures for** entry of aircraft to, and exit of aircraft from, the apron is coordinated with the air traffic services provider.

**AMC1 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron**  
COORDINATION

~~The aerodrome operator~~ **apron management service provider** in cooperation with air traffic services should establish coordination procedures for the handover of aircraft between air traffic services and:

- ~~(a) apron management services unit, when established; or~~
- ~~(b) a leader van service; or~~
- ~~(c) marshalling services.~~

**AMC2 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron**  
HANDOVER POINTS

~~The aerodrome operator~~ **apron management service provider**, in cooperation with air traffic services, should establish handover point(s) between the apron and the manoeuvring area, when traffic is managed by two different units.

**AMC3 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron**  
COORDINATION PROCEDURE

~~The aerodrome operator~~ **apron management service provider** in cooperation with air traffic services should establish coordination procedures containing at least:

- (a) the boundaries of the area where apron management services ~~are~~ **is** provided;
- (b) the handover points between apron and manoeuvring area;
- (c) the holding areas;
- (d) the means of guidance for the aircraft taxiing;
- (e) the operational information to be exchanged between both parties; and
- (f) the push back operations, when interfering with the manoeuvring area.

**GM1 ADR.OPS.D.020 GM2 ADR.OPS.D.015 Coordination of aircraft entry to/exit from the apron**

## HOLDING AREAS

When aircraft parking stands are not available, then it is necessary to define areas where



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>arriving aircraft will hold until an aircraft stand is vacant. The location of the holding areas should be agreed between the aerodrome operator, <del>and</del> the air traffic services and the provider of apron management services if established, taking into account various factors such as the movement area layout, traffic density, etc.</p>                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Partially accepted</i></p> <p>Both the aerodrome operator and the provider of apron management services have responsibilities for the coordination of aircraft entry to/exit from the apron. The aerodrome operator, irrespective of the existence of a provider of apron management services has to ensure that coordination procedures are in place with the air traffic services and that handover points have been established (included in Subpart D). On the other hand, the provider of apron management services, when established has to implement the procedure in cooperation with the air traffic services provider (included in Subpart E).</p> |
| comment  | <p>909 ❖ <span style="float: right;">comment by: HIA - Highlands and Islands Airports Limited</span></p> <p>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.</p>                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC3 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron**

p. 61

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>68 <span style="float: right;">comment by: Flughafen Berlin Brandenburg GmbH</span></p> <p>Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone. Amend (a) to: "(a) the boundaries as described according to ADR.OPS.D.025;"</p>                                                                                                                                                                                                          |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed and the reference is ADR.OPS.D.020. However, the AMC has been moved under ADR.OPS.E.010 as AMC2 ADR.OPS.E.010.</p>                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>128 ❖ <span style="float: right;">comment by: ADV - German Airports Association</span></p> <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p> |
| response | <p><i>Accepted</i></p> <p>The requirements addressed to the aerodrome operator have been retained in Subpart D,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |



while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 130 comment by: *ADV - German Airports Association*

Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone. Amend (a) to: "(a) the boundaries as described according to ADR.OPS.D.025;"

response *Accepted*

The text has been revised as proposed, and the reference is ADR.OPS.D.020. However, the AMC has been moved under ADR.OPS.E.010 as AMC2 ADR.OPS.E.010.

comment 222 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre*

Review the term "handover point" in paragraph (b) as this is not necessarily a specific point but oftentimes an area where the handover is performed.  
In Germany the handover is for example initiated by the instruction to "contact [aerodrome location] apron, 999.9"  
Proposal: "handover location"

response *Noted*

The ICAO term is 'handover point'.

comment 255 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre*

Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.

response *Accepted*

ADR.OPS.D.020 has been divided in two parts. The first part (new number ADR.OPS.D.015) refers to the responsibility of the aerodrome operator to ensure that coordination procedures for aircraft entry to/exit from the apron are established, while the second part (ADR.OPS.E.010) refers to the responsibility of the provider of apron management services to coordinate the aircraft entry to/exit from the apron with the air traffic services.

comment 366 comment by: *Aena*

In case of both ATS and apron management provided by the same organisation, there will be no need for such procedures defined in AMC3.

response *Noted*

comment 437 comment by: *ACI EUROPE (Airports Council International)*



Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone. Amend (a) to: "(a) the boundaries as described according to ADR.OPS.D.025;"

response *Accepted*

The text has been revised as proposed, and the reference is ADR.OPS.D.020. However, the AMC has been moved under ADR.OPS.E.010 as AMC2 ADR.OPS.E.010.

comment

490 ❖

comment by: DGAC France

**ADR.OPS.D.020 Coordination of aircraft entry to / exit from the apron****Level 1 - Fundamental comment**

See also general comment on Subpart D and ADR.OPS.D.001.

ADR.OPS.D.020 applies to coordination between AMS providers and ATS : see ICAO Annex 14 para 9.5.2. It should therefore apply to the AMS provider and be moved in new Subpart E, as well as its associated AMCs.

As regards AMC1 ADR.OPS.D.020, the redaction should be more generic. **As the NPA gives no definition of the means that can be used to provide AMS, it is not clear whether leader van or marshalling can be seen as a specific means to provide the AMS service, just like apron control tower is another means. This should be clarified. AMC1 ADR.OPS.D.020 gives the impression that leader van service and marshalling are considered out of the scope of an AMS unit.**

As regards GM1 ADR.OPS.B.020, holding areas may exist whether or not an AMS provider is established. These areas may be used by aircraft independently from the process of "coordination of aircraft entry to / exit from the apron" between the AMS provider and the ANSP. The corresponding GM should therefore be linked with ADR.OPS.D.015, dealing with "management of aircraft movement on the apron", rather than with ADR.OPS.D.020. The location of such areas should be coordinated between the aerodrome operator, the ANSP, and the AMS provider if the latter exists.

**ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to /exit from the apron**

~~The aerodrome operator shall ensure that~~ **The apron management service provider shall have coordination procedures for** entry of aircraft to, and exit of aircraft from, the apron is coordinated with the air traffic services provider.

**AMC1 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron**  
COORDINATION

~~The aerodrome operator~~ **apron management service provider** in cooperation with air traffic services should establish coordination procedures for the handover of aircraft between air traffic services and:

- ~~(a) apron management services unit, when established; or~~
- ~~(b) a leader van service; or~~
- ~~(c) marshalling services.~~

**AMC2 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron**  
HANDOVER POINTS

~~The aerodrome operator~~ **apron management service provider**, in cooperation with air traffic services, should establish handover point(s) between the apron and the manoeuvring area, when traffic is managed by two different units.

**AMC3 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron**  
COORDINATION PROCEDURE

~~The aerodrome operator~~ **apron management service provider** in cooperation with air traffic



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>services should establish coordination procedures containing at least:</p> <ul style="list-style-type: none"> <li>(a) the boundaries of the area where apron management services are provided;</li> <li>(b) the handover points between apron and manoeuvring area;</li> <li>(c) the holding areas;</li> <li>(d) the means of guidance for the aircraft taxiing;</li> <li>(e) the operational information to be exchanged between both parties; and</li> <li>(f) the push back operations, when interfering with the manoeuvring area.</li> </ul> <p><b>GM1 ADR.OPS.D.020 GM2 ADR.OPS.D.015 Coordination of aircraft entry to/exit from the apron</b></p> <p><b>HOLDING AREAS</b></p> <p>When aircraft parking stands are not available, then it is necessary to define areas where arriving aircraft will hold until an aircraft stand is vacant. The location of the holding areas should be agreed between the aerodrome operator, and the air traffic services and the provider of apron management services if established, taking into account various factors such as the movement area layout, traffic density, etc.</p> |
| response | <p><i>Accepted</i></p> <p>The AMC has been moved under ADR.OPS.E.010 as AMC2 ADR.OPS.E.010.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p><b>825</b> comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></p> <p>Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone. Amend (a) to: "(a) the boundaries as described according to ADR.OPS.D.025;"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed and the reference is ADR.OPS.D.020. However, the AMC has been moved under ADR.OPS.E.010 as AMC2 ADR.OPS.E.010.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p><b>909</b> ❖ comment by: <i>HIA - Highlands and Islands Airports Limited</i></p> <p>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p><b>1034</b> comment by: <i>Turin Airport - TRN/LIMF</i></p> <p>Flight crews need to know where to expect handover points which are - in most cases - related to different areas of responsibility and not necessarily to the boundaries of apron management services alone. Amend (a) to: "(a) the boundaries as described according to ADR.OPS.D.025;"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed, and the reference is ADR.OPS.D.020. However, the AMC has been moved under ADR.OPS.E.010 as AMC2 ADR.OPS.E.010.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |



**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron**

p. 61

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |
|          | <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                              |
| comment  | 255 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | <p>Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |
|          | <p>ADR.OPS.D.020 has been divided in two parts. The first part (new number ADR.OPS.D.015) refers to the responsibility of the aerodrome operator to ensure that coordination procedures for aircraft entry to/exit from the apron are established, while the second part (ADR.OPS.E.010) refers to the responsibility of the provider of apron management services to coordinate the aircraft entry to/exit from the apron with the air traffic services.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                              |
| comment  | 490 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: <i>DGAC France</i>                                                                                                               |
|          | <p><b>ADR.OPS.D.020 Coordination of aircraft entry to / exit from the apron</b><br/> <b>Level 1 - Fundamental comment</b><br/> See also general comment on Subpart D and ADR.OPS.D.001.<br/> ADR.OPS.D.020 applies to coordination between AMS providers and ATS : see <a href="#">ICAO Annex 14 para 9.5.2</a>. It should therefore apply to the AMS provider and be moved in new Subpart E, as well as its associated AMCs.<br/> As regards AMC1 ADR.OPS.D.020, the redaction should be more generic. <b>As the NPA gives no definition of the means that can be used to provide AMS, it is not clear whether leader van or marshalling can be seen as a specific means to provide the AMS service, just like apron control tower is another means. This should be clarified. AMC1 ADR.OPS.D.020 gives the impression that leader van service and marshalling are considered out of the scope of an AMS unit.</b><br/> As regards GM1 ADR.OPS.B.020, holding areas may exist whether or not an AMS provider is established. These areas may be used by aircraft independently from the process of "coordination of aircraft entry to / exit from the apron" between the AMS provider and the ANSP. The corresponding GM should therefore be linked with ADR.OPS.D.015, dealing with</p> |                                                                                                                                              |



“management of aircraft movement on the apron”, rather than with ADR.OPS.D.020. The location of such areas should be coordinated between the aerodrome operator, the ANSP, and the AMS provider if the latter exists.

**ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to /exit from the apron**

~~The aerodrome operator shall ensure that~~ The apron management service provider shall have coordination procedures for entry of aircraft to, and exit of aircraft from, the apron is coordinated with the air traffic services provider.

**AMC1 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron COORDINATION**

~~The aerodrome operator~~ apron management service provider in cooperation with air traffic services should establish coordination procedures for the handover of aircraft between air traffic services and:

- ~~(a) apron management services unit, when established; or~~
- ~~(b) a leader van service; or~~
- ~~(c) marshalling services.~~

**AMC2 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron HANDOVER POINTS**

~~The aerodrome operator~~ apron management service provider, in cooperation with air traffic services, should establish handover point(s) between the apron and the manoeuvring area, when traffic is managed by two different units.

**AMC3 ADR.OPS.D.020 ADR.OPS.E.025 Coordination of aircraft entry to/exit from the apron COORDINATION PROCEDURE**

~~The aerodrome operator~~ apron management service provider in cooperation with air traffic services should establish coordination procedures containing at least:

- (a) the boundaries of the area where apron management services are provided;
- (b) the handover points between apron and manoeuvring area;
- (c) the holding areas;
- (d) the means of guidance for the aircraft taxiing;
- (e) the operational information to be exchanged between both parties; and
- (f) the push back operations, when interfering with the manoeuvring area.

**GM1 ADR.OPS.D.020 GM2 ADR.OPS.D.015 Coordination of aircraft entry to/exit from the apron**

**HOLDING AREAS**

When aircraft parking stands are not available, then it is necessary to define areas where arriving aircraft will hold until an aircraft stand is vacant. The location of the holding areas should be agreed between the aerodrome operator, ~~and~~ the air traffic services ~~and the provider of apron management services if established,~~ taking into account various factors such as the movement area layout, traffic density, etc.

response

*Accepted*

The text has been revised as proposed.

comment

909 ❖

comment by: *HIA - Highlands and Islands Airports Limited*

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response

*Noted*



**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.025 Apron management services boundaries**

p. 61

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                              |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p> |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                              |
|          | <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
| comment  | 255 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | <p>Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.</p>                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                              |
|          | <p>For this particular case, the responsibility for defining the area where apron management services will be provided is on the aerodrome operator, irrespective of the entity that provides apron management services. However, the coordination with the air traffic services provider is necessary.</p>                                                                                                                                                                                           |                                                                                                                                              |
| comment  | 326                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>Avinor</i>                                                                                                                    |
|          | <p>In many cases simliar or even identical publishing procedures as described in ADR.OPS.A.015 apply for such information. Hence, a reference to ADR.OPS.A.015 should be added at the end of the first sentence ("according to ADR.OPS.A.015").</p>                                                                                                                                                                                                                                                   |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                              |
|          | <p>See reply on AMC2 ADR.OPS.D.020.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                              |
| comment  | 367                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>Aena</i>                                                                                                                      |
|          | <p>Add runway in use to the list. The boundaries might be different under each RWY configuration.</p>                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                              |
|          | <p>This is covered under point (b) of the AMC which refers to the method of operation.</p>                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                              |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                       |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| comment  | <p>491 ❖</p> <p><b>ADR.OPS.D.025 Apron management services boundaries</b><br/> <b>Level 1 - Fundamental comment</b></p> <p>See also general comment on Subpart D and ADR.OPS.D.001.<br/> ADR.OPS.D.025 and its associated AMC's apply to the aerodrome operator, irrespective of the establishment of an AMS provider. It can therefore stay in Subpart D applying to the aerodrome operator.<br/> As regards publication of apron boundaries (AMC 2), the aerodrome operator should not be required to publish this information itself, but only to provide the relevant and up-to-date data to the aeronautical information services providers, who will publish it. This is exactly the same issue as the one previously discussed as regards Subpart A "Aerodrome data".<br/> The following modifications are therefore proposed :</p> <p><b>ADR.OPS.D.025 Apron management services boundaries</b><br/> The aerodrome operator, in cooperation with air traffic services shall define and publish for publication in the Aeronautical Information Publication the boundaries of the apron area where apron management services are provided.</p> <p><b>AMC1 ADR.OPS.D.025 Apron management services boundaries</b><br/> DEFINITION OF APRON MANAGEMENT SERVICES BOUNDARIES<br/> The aerodrome operator in cooperation with the air traffic services should define the boundaries of the apron area where apron management services are provided. [...]</p> <p><b>AMC2 ADR.OPS.D.025 Apron management services boundaries</b><br/> PUBLICATION OF APRON MANAGEMENT SERVICES BOUNDARIES<br/> The aerodrome operator should publish provide data relevant to the apron management services boundaries to the aeronautical information services providers for publication in the Aeronautical Information Publication. A graphical illustration of the boundaries should be shown in the Aerodrome Chart.</p> | comment by: <i>DGAC France</i>        |
| response | <p><i>Partially accepted</i></p> <p>For AMC1 the statement is correct, but, in reality, apron management services are often extended beyond the limits of the apron for operational reasons. The current wording provides more flexibility.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                       |
| comment  | <p>601</p> <p>&lt;...&gt; provide the <u>procedures</u> to be applied &lt;...&gt;<br/> (d) blast <u>protections</u>;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | comment by: <i>Belgian CAA</i>        |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                       |
| comment  | <p>883</p> <p>No criteria have been defined for making the decision whether to establish or not an AMS Unit. However, the criteria defined under AMC1 ADR.OPS.D.025 for the definition of the AMS boundaries are the ones to be considered for this purpose aligned with ICAO (At the EASA AMS RMG this is what it was intended).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>AESA - Spanish CAA</i> |
| response | <p><i>Accepted</i></p> <p>ADR.OPS.D.002 requires the aerodrome operator to ensure that arrangements are in place for the management of operations on the apron. GM1 ADR.OPS.D.002 provides guidance on</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                       |



the criteria that could be used for the establishment of a dedicated apron management service.

|          |                                                                                                                                                                                            |                                                          |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| comment  | 909 ❖                                                                                                                                                                                      | comment by: HIA - Highlands and Islands Airports Limited |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |                                                          |
| response | Noted                                                                                                                                                                                      |                                                          |

|                                                                                                                                                                                                                                                  |       |
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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC2 ADR.OPS.D.025 Apron management services boundaries</b> | p. 62 |
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|          |                                                                                                                                                                                                                                              |                                               |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| comment  | 69                                                                                                                                                                                                                                           | comment by: Flughafen Berlin Brandenburg GmbH |
|          | In many cases similar or even identical publishing procedures as described in ADR.OPS.A.015 apply for such information. Hence, a reference to ADR.OPS.A:015 should be added at the end of the first sentence "...according to ADR.OPS.A.015" |                                               |
| response | Accepted                                                                                                                                                                                                                                     |                                               |
|          | The text has been revised as proposed.                                                                                                                                                                                                       |                                               |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                               |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: ADV - German Airports Association |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                               |
| response | Accepted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                               |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                               |

|          |                                                                                                                                                                                                                                              |                                               |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| comment  | 131                                                                                                                                                                                                                                          | comment by: ADV - German Airports Association |
|          | In many cases similar or even identical publishing procedures as described in ADR.OPS.A.015 apply for such information. Hence, a reference to ADR.OPS.A.015 should be added at the end of the first sentence ("according to ADR.OPS.A.015"). |                                               |
| response | Accepted                                                                                                                                                                                                                                     |                                               |
|          | The text has been revised as proposed.                                                                                                                                                                                                       |                                               |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| comment  | 438                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | In many cases similar or even identical publishing procedures as described in ADR.OPS.A.015 apply for such information. Hence, a reference to ADR.OPS.A.015 should be added at the end of the first sentence ("according to ADR.OPS.A.015").                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                |
|          | The text has been revised as proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                |
| comment  | 491 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>DGAC France</i>                                 |
|          | <p><b>ADR.OPS.D.025 Apron management services boundaries</b><br/> <b>Level 1 - Fundamental comment</b></p> <p>See also general comment on Subpart D and ADR.OPS.D.001.<br/> ADR.OPS.D.025 and its associated AMCs apply to the aerodrome operator, irrespective of the establishment of an AMS provider. It can therefore stay in Subpart D applying to the aerodrome operator.</p> <p>As regards publication of apron boundaries (AMC 2), the aerodrome operator should not be required to publish this information itself, but only to provide the relevant and up-to-date data to the aeronautical information services providers, who will publish it. This is exactly the same issue as the one previously discussed as regards Subpart A "Aerodrome data".<br/> The following modifications are therefore proposed :</p> <p><b>ADR.OPS.D.025 Apron management services boundaries</b><br/> The aerodrome operator, in cooperation with air traffic services shall define and publish for publication in the Aeronautical Information Publication the boundaries of the apron area where apron management services are provided.</p> <p><b>AMC1 ADR.OPS.D.025 Apron management services boundaries</b><br/> DEFINITION OF APRON MANAGEMENT SERVICES BOUNDARIES<br/> The aerodrome operator in cooperation with the air traffic services should define the boundaries of the apron area where apron management services are provided. [...]</p> <p><b>AMC2 ADR.OPS.D.025 Apron management services boundaries</b><br/> PUBLICATION OF APRON MANAGEMENT SERVICES BOUNDARIES<br/> The aerodrome operator should provide data relevant to the apron management services boundaries to the aeronautical information services providers for publication in the Aeronautical Information Publication. A graphical illustration of the boundaries should be shown in the Aerodrome Chart.</p> |                                                                |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                |
|          | It is acknowledged that the responsibility of the aerodrome operator is to provide the information for publication, therefore, the text has been adapted almost as proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                |
| comment  | 546                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | comment by: <i>Swedish Transport Agency</i>                    |
|          | In the first part it's stated that aerodrome operators should published information in AIP, a better writing is that the operators shall report the information they want to publish in the AIP to the AISP. (this also to be consistent with the writing in ADR.OR.B.070(b)(2) on page 19.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                |



It is acknowledged that the responsibility of the aerodrome operator is to provide the information for publication, therefore, the text has been revised in order to reflect this.

comment 826 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

In many cases similar or even identical publishing procedures as described in ADR.OPS.A.015 apply for such information. Hence, a reference to ADR.OPS.A.015 should be added at the end of the first sentence ("according to ADR.OPS.A.015").

response *Accepted*

The text has been revised as proposed.

comment 884 comment by: *AESA - Spanish CAA*

AMC2 ADR.OPS.D.025 has the same content as IR ADR.OPS.D.025, being the content an obligation at IR level and an adequate means of compliance at AMC level, not providing further detail.

response *Noted*

The text has been revised to provide the link with ADR.OPS.A.015 for the publication of information.

comment 909 ❖ comment by: *HIA - Highlands and Islands Airports Limited*

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response *Noted*

comment 1035 comment by: *Turin Airport - TRN/LIMF*

In many cases similar or even identical publishing procedures as described in ADR.OPS.A.015 apply for such information. Hence, a reference to ADR.OPS.A.015 should be added at the end of the first sentence ("according to ADR.OPS.A.015")

response *Accepted*

The text has been revised as proposed.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.030 Assignment of radio frequencies to apron management services**

p. 62

comment 128 ❖ comment by: *ADV - German Airports Association*

Most of the paragraphs and requirements in Subpart D are related to the aerodrome



operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 492 ❖

comment by: DGAC France

#### **ADR.OPS.D.030 Assignment of radio frequencies to apron management services**

##### **Level 1 - Fundamental comment**

Neither aerodrome operators, nor AMS providers themselves, can be responsible for attributing radio frequencies to the apron control tower. In France, the management of radio frequencies belongs to the State, and has been assigned to a national Agency called Agence Nationale des Fréquences.

Moreover, the attribution of radio frequencies relates to the provisions of apron management services, and the IR and corresponding AMCs should therefore be moved in Subpart E.

#### **~~ADR.OPS.D.030~~ ~~ADR.OPS.E.030~~ Assignment of radio frequencies to apron management services**

~~The aerodrome operator shall ensure that~~ An appropriate number of radio telephony frequencies ~~are~~ shall be assigned to the apron management services unit and published in the Aeronautical Information Publication.

#### **AMC1 ~~ADR.OPS.D.030~~ ~~ADR.OPS.E.030~~ Assignment of radio frequencies to apron management services**

##### **NUMBER OF FREQUENCIES**

The number of radio frequencies assigned to apron management services should depend on the following:

- (a) Apron layout;
- (b) Traffic density; and
- (c) Operational procedures

#### **AMC2 ~~ADR.OPS.D.030~~ ~~ADR.OPS.E.030~~ Assignment of radio frequencies to apron management services**

##### **PUBLICATION OF APRON MANAGEMENT SERVICES RADIO FREQUENCIES**

The radio frequencies assigned to apron management services ~~should be published~~ notified by the apron management service provider to the relevant aeronautical information services providers for publication in the Aeronautical Information Publication.

response *Accepted*

The AMC has been revised in order to require the publication of the radio frequencies assigned to apron management.

comment 909 ❖

comment by: HIA - Highlands and Islands Airports Limited

A large number of these items are contained in our existing Safety Management Systems



|          |                                                                                                      |
|----------|------------------------------------------------------------------------------------------------------|
|          | Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |
| response | <i>Noted</i>                                                                                         |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC2 ADR.OPS.D.030 Assignment of radio frequencies to apron management services**

p. 62

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                      |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>ADV - German Airports Association</i> |
|          | <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p> |                                                      |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                      |
|          | The AMC has been deleted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                      |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                |
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| comment | 492 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>DGAC France</i> |
|         | <p><b>ADR.OPS.D.030 Assignment of radio frequencies to apron management services</b><br/> <b>Level 1 - Fundamental comment</b></p> <p>Neither aerodrome operators, nor AMS providers themselves, can be responsible for attributing radio frequencies to the apron control tower. In France, the management of radio frequencies belongs to the State, and has been assigned to a national Agency called Agence Nationale des Fréquences.</p> <p>Moreover, the attribution of radio frequencies relates to the provisions of apron management services, and the IR and corresponding AMCs should therefore be moved in Subpart E.</p> <p><del>ADR.OPS.D.030</del> <del>ADR.OPS.E.030</del> <b>Assignment of radio frequencies to apron management services</b></p> <p>The aerodrome operator shall ensure that An appropriate number of radio telephony frequencies are shall be assigned to the apron management services unit and published in the Aeronautical Information Publication.</p> <p><del>AMC1 ADR.OPS.D.030</del> <del>ADR.OPS.E.030</del> <b>Assignment of radio frequencies to apron management services</b></p> <p>NUMBER OF FREQUENCIES</p> <p>The number of radio frequencies assigned to apron management services should depend on the following:</p> <p>(a) Apron layout;<br/> (b) Traffic density; and<br/> (c) Operational procedures</p> <p><del>AMC2 ADR.OPS.D.030</del> <del>ADR.OPS.E.030</del> <b>Assignment of radio frequencies to apron management services</b></p> <p>PUBLICATION OF APRON MANAGEMENT SERVICES RADIO FREQUENCIES</p> |                                |



|          |                                                                                                                                                                                                                                                                            |                                                                 |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
|          | The radio frequencies assigned to apron management services should be published notified by the apron management service provider to the relevant aeronautical information services providers for publication in the Aeronautical Information Publication.                 |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                               | The AMC has been deleted.                                       |
| comment  | 547                                                                                                                                                                                                                                                                        | comment by: <i>Swedish Transport Agency</i>                     |
|          | It's stated that aerodrome operators should published information in AIP, a better writing is that the operators shall report the information they want to publish in the AIP to the AISP. (this also to be consistent with the writing in ADR.OR.B.070(b)(2) on page 19.) |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                               | The AMC has been deleted.                                       |
| comment  | 886                                                                                                                                                                                                                                                                        | comment by: <i>AESA - Spanish CAA</i>                           |
|          | AMC2 ADR.OPS.D.030 has the same content as IR ADR.OPS.D.030, being the content an obligation at IR level and an adequate means of compliance at AMC level, not providing further detail.                                                                                   |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                               | The AMC has been deleted.                                       |
| comment  | 909 ❖                                                                                                                                                                                                                                                                      | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                                                                 |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                               |                                                                 |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.035(a) Management of vehicle movements**

p. 62

|          |                                                                                                                                                             |                                                                                                                                                                                                                                                                         |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 70                                                                                                                                                          | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>                                                                                                                                                                                                                    |
|          | See comment on driving rules. The content of this section is already covered by ADR.OPS.B.025 and relevant AMC/GM. This AMC should be consequently deleted. |                                                                                                                                                                                                                                                                         |
| response | <i>Noted</i>                                                                                                                                                | ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on the movement area, while ADR OPS.D.030 deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements). |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
| comment  | 132                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | See comment on ADR.OPS.D.035. The content is already covered by ADR.OPS.B.025 and relevant AMC/GM. This AMC should be consequently deleted.                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
|          | ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on the movement area, while ADR OPS.D.030 deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements).                                                                                                                                                                                                                        |                                                                                                                                              |
| comment  | 255 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
| comment  | 327                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Avinor</i>                                                                                                                    |
|          | See our comment regarding driving rules. The content is already covered by ADR.OPS.B.025 and relevant AMC/GM. This AMC should be deleted.                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
|          | ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on the movement area, while ADR OPS.D.030 deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements).                                                                                                                                                                                                                        |                                                                                                                                              |
| comment  | 439                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>ACI EUROPE (Airports Council International)</i>                                                                               |
|          | See our comment regarding driving rules. The content is already covered by ADR.OPS.B.025 and relevant AMC/GM. This AMC should be deleted.                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
|          | ADR OPS.B.025 deals with the training, assessment and authorisation of vehicle drivers on                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                              |



the movement area, while ADR OPS.D.030 deals with issues related to the movement of vehicles on the apron (driving rules, driving routes and vehicle condition requirements).

comment

493 ❖

comment by: DGAC France

**ADR.OPS.D.035 Management of vehicle movements****Level 1 - Fundamental comment**

See also general comment on Subpart D and ADR.OPS.D.001.

ADR.OPS.D.035 should be split into two IRs :

- Strategic level : the AD operator shall ensure high-level rules are established and implemented ;
- Tactical level : the AMS provider, if established, shall manage aircraft movement taking these high-level rules into account. Cf proposal made for new ADR.OPS.E.015.

About high-level rules concerning vehicles on the apron, it has to be noted that these rules may be established and implemented by local authorities upstream to the aerodrome operator. It is the case in France, as the Préfet (local representative of the French State) is responsible for promulgating “arrêtés de police” on each aerodrome, establishing among other things high-level traffic rules on the movement area. These rules include several aspects as for example : speed limits, right of way on the apron, etc. Then, the aerodrome operator takes these rules into account in its own operating rules, which are more detailed. In France, as regards enforcement issue, the aerodrome operator itself can't take enforcement measures, which is a State prerogative. The aerodrome operator monitors the application of the rules and notifies any deviation to the local authorities, which may then take enforcement measures.

**ADR.OPS.D.035 Management of vehicle movements**

The aerodrome operator shall ensure that the movement of vehicles on the apron is safely managed through:

- (a) the establishment and implementation of driving rules and the monitoring and enforcement of their application;
- (b) establishing vehicle driving routes, as appropriate; and
- (c) the establishment and enforcement of vehicle condition requirements.

**ADR.OPS.E.015 Management of vehicle movements**

When established on the aerodrome, the apron management service provider shall regulate vehicle movement to ensure their safe and expeditious movement on the apron.

**AMC1 ADR.OPS.D.035(a) Management of vehicle movements****APRON DRIVING RULES**

The aerodrome operator should establish, implement and disseminate driving rules for the apron in accordance with requirements established by local or national authorities. The driving rules should include at least the following:

[...]

response

*Noted*

The purpose of the AMC is to define what should be included in the driving rules. The details are out of the scope of this AMC and, of course, local or national requirements could be taken into account.

comment

542

comment by: Swedish Transport Agency

(e) says Low visibility procedures. This shall be changed to Low visibility operations as in



|          |                                                                                                                                                                                                                                                                                                                                                              |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | AMC1 ADR.OPS.D.010(a)(2);(b); (i) on page 60.<br><i>Accepted</i><br>The text has been revised as proposed.                                                                                                                                                                                                                                                   |
| comment  | 760 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span><br>Attachment <a href="#">#149</a><br>Rôle de coordination dévolu à l'exploitant d'aérodrome                                                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                 |
| comment  | 827 <span style="float: right;">comment by: Assaeroporti - Associazione Italiana Gestori Aeroporti</span><br>Specific provisions should be defined in order to give to the airport operator the possibility to “establish and enforce” third party vehicle condition requirements. Public institution vehicles should be treated with a specific regulation. |
| response | <i>Noted</i><br>The purpose of the AMC is to define what should be included in the driving rules. The details are out of the scope of this AMC and, of course, local or national requirements could be taken into account.                                                                                                                                   |
| comment  | 909 ❖ <span style="float: right;">comment by: HIA - Highlands and Islands Airports Limited</span><br>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                 |
| comment  | 1036 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span><br>Specific provisions should be defined in order to give to the airport operator the possibility to “establish and enforce” third party vehicle condition requirements. Public institution vehicles should be treated with a specific regulation.                              |
| response | <i>Noted</i><br>The purpose of the AMC is to define what should be included in the driving rules. The details are out of the scope of this AMC and, of course, local or national requirements could be taken into account.                                                                                                                                   |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC2 ADR.OPS.D.035(a) Management of vehicle movements**

p. 62



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
| comment  | 255 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
| comment  | 909 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>HIA - Highlands and Islands Airports Limited</i>                                                                              |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                                                                                                                                                                                                                                                                                     |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.035(b) Management of vehicle movements** p. 62-63

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                      |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i> |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                      |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                                      |



|         |                                                                                                                 |                                                                                                                                              |
|---------|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment | 255<br>❖                                                                                                        | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|         | Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator. |                                                                                                                                              |

|          |              |
|----------|--------------|
| response | <i>Noted</i> |
|----------|--------------|

|         |                                                                                                                                                                                            |                                                                 |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| comment | 909 ❖                                                                                                                                                                                      | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|         | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |                                                                 |

|          |              |
|----------|--------------|
| response | <i>Noted</i> |
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**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM1 ADR.OPS.D.035(a);(b) Management of vehicle movements** p. 63

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                      |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i> |
|         | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                      |

|          |                 |
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| response | <i>Accepted</i> |
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The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

|         |                                                                                                                 |                                                                                                                                              |
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| comment | 255<br>❖                                                                                                        | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|         | Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator. |                                                                                                                                              |

|          |              |
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| response | <i>Noted</i> |
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|         |                                                                                                                               |                           |
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| comment | 328                                                                                                                           | comment by: <i>Avinor</i> |
|         | Delete "with a perpendicular crossing". Justification: the part "provide clear visibility" should be adequate and sufficient. |                           |

|          |                 |
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| response | <i>Accepted</i> |
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The text has been revised as proposed.



|          |                                                                                                                                                                                                                                                                                                                                                                   |                                                                 |
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| comment  | 871                                                                                                                                                                                                                                                                                                                                                               | comment by: <i>Vienna International Airport</i>                 |
|          | Why do we need a safety assessment for crossings when written procedures are in place and work fine since many years?                                                                                                                                                                                                                                             |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                      |                                                                 |
|          | There are cases where some specific vehicles, e.g. FOLLOW-ME vehicles are allowed to cross taxiways without asking permission from the unit controlling the area, provided that a safety assessment has been conducted and all the mitigating measures are in place. This is helpful at aprons with high traffic density, in order to avoid frequency congestion. |                                                                 |
| comment  | 909 ❖                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                                                                                                                                                        |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                      |                                                                 |
| comment  | 933                                                                                                                                                                                                                                                                                                                                                               | comment by: <i>CAA Austria - Ministry of Transport</i>          |
|          | Clarification is needed, what is meant by freely crossing. Marked crossings of aircraft stand taxilanes are in use in Austria without any problems.                                                                                                                                                                                                               |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                      |                                                                 |
|          | There are cases where some specific vehicles, e.g. FOLLOW-ME vehicles are allowed to cross taxiways without asking permission from the unit controlling the area, provided that a safety assessment has been conducted and all the mitigating measures are in place. This is helpful at aprons with high traffic density, in order to avoid frequency congestion. |                                                                 |

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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM2 ADR.OPS.D.035(a);(b) Management of vehicle movements</b> | p. 63 |
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|          |                                                                                                                                                                                                                                                                 |                                                      |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 71                                                                                                                                                                                                                                                              | comment by: <i>Flughafen Berlin Brandenburg GmbH</i> |
|          | Delete "with a perpendicular crossing" as the wording "provide clear visibility" should be adequate and sufficient.                                                                                                                                             |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                 |                                                      |
|          | The text has been revised as proposed.                                                                                                                                                                                                                          |                                                      |
| comment  | 128 ❖                                                                                                                                                                                                                                                           | comment by: <i>ADV - German Airports Association</i> |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management |                                                      |



|          |                                                                                                                                                                                                                                                                                                                   |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."                                                                                    |
| response | <p><i>Accepted</i></p> <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                         |
| comment  | <p>133 <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p> <p>Delete "with a perpendicular crossing". Justification: the part "provide clear visibility" should be adequate and sufficient.</p>                                                                           |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                              |
| comment  | <p>441 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span></p> <p>Delete "with a perpendicular crossing". Justification: the part "provide clear visibility" should be adequate and sufficient.</p>                                                                 |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                              |
| comment  | <p>828 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span></p> <p>Delete "with a perpendicular crossing". Justification: the part "provide clear visibility" should be adequate and sufficient.</p>                                                      |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                              |
| comment  | <p>870 <span style="float: right;">comment by: <i>Vienna International Airport</i></span></p> <p>"perpendicular crossing" should be deleted. Sometimes apron layout cannot be changed and existing crossings must remain where they are.</p>                                                                      |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                              |
| comment  | <p>909 ❖ <span style="float: right;">comment by: <i>HIA - Highlands and Islands Airports Limited</i></span></p> <p>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.</p> |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                               |



|          |                                                                                                                               |                                      |
|----------|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| comment  | 1037                                                                                                                          | comment by: Turin Airport - TRN/LIMF |
|          | Delete "with a perpendicular crossing". Justification: the part "provide clear visibility" should be adequate and sufficient. |                                      |
| response | <i>Accepted</i>                                                                                                               |                                      |
|          | The text has been revised as proposed.                                                                                        |                                      |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.035(c) Management of vehicle movements**

p. 63

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                       |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: ADV - German Airports Association                                                                                         |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                                                                                                       |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                       |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                                                                                                                       |
| comment  | 255 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre |
|          | Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                       |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                       |
|          | Vehicle condition requirements is the responsibility of the aerodrome operator.                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                       |
| comment  | 759                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: Pau Pyrénées Airport - PUF/LFBP                                                                                           |
|          | Attachment <a href="#">#150</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                       |
|          | Rôle de coordination dévolu à l'exploitant d'aérodrome                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                       |
|          | Objet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                       |
|          | Rôle de coordination dévolu à l'exploitant d'aérodrome                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                       |
|          | Références                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                       |
|          | ADR.OPS.D.015 Management. of aircraft movement on the apron                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                       |
|          | ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                       |
|          | o AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                       |



## COORDINATION

- ┆ ADR.OPS.D.025 Apron management boundaries.
- ┆ ADR.OPS.D.030 Assignment of radio frequencies to apron management service
- ┆ ADR.OPS.D.035 Management of vehicle movements
- o AMC1 ADR.OPS.D.035(a) Management of vehicle movements APRON DRIVING RULES
- o AMC1 ADR.OPS.D.035(c) Management of vehicle movements VEHICLE CONDITION REQUIREMENTS
- ┆ ADR.OPS.D.045 Management of apron safety
- ┆ ADR.OPS.D.050 Aircraft stand allocation
- ┆ ADR.OPS.D.060 Aircraft parking
- ┆ ADR.OPS.D.065 Aircraft departure
- ┆ ADR.OPS.D.085 Training

## Commentaires

Les projets de textes confient à l'exploitant un rôle de coordination des activités réalisées sur l'aire de trafic. Cette mission prend des formes variées qui vont de la vérification de mise en oeuvre de mesures par les tiers à l'édictation de mesures parfois coercitives.

Certaines mesures aujourd'hui réalisées par des services de l'Etat, en France, devront être réalisées et/ou édictées par l'exploitant d'aérodrome ou le prestataire de gestion d'aire de trafic qui n'ont pas les pouvoirs nécessaires, en particulier en matière de police gestion du mouvement des avions, publication de l'information aéronautique, coordination des entrées/sorties sur l'aire de trafic, gestion des mouvements de véhicules, etc..).

Les limites de compétences, les actions attendues de l'exploitant d'aérodrome et l'articulation avec le prestataire de service de navigation aérienne et les autres intervenants (ATC) ne nous apparaissent pas clairement.

Par exemple, à la lecture de l'ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron: nous comprenons que l'exploitant d'aérodrome doit vérifier que l'entrée/sortie des aéronefs sur l'aire de trafic est coordonnée avec le prestataire de navigation aérienne. il pourrait s'agir d'un protocole ou d'une coordination en temps réel.

Mais l'AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: précise que l'exploitant d'aérodrome doit établir des procédures de coordination de transfert des aéronefs avec le prestataire de navigation aérienne.

L'ADR.OPS.D.025 Apron management boundaries impose aux exploitants d'aérodrome de publier les limites d'aire de trafic. En France c'est le Service de l'Information Aéronautique (SIA) qui est en charge de la publication des informations en coordination avec l'exploitant qui doit lui fournir les données à jour.

De même, l'ADR.OPS.D.030 Assignment of radio frequencies to apron management service, donne à l'exploitant d'aérodrome la mission de s'assurer qu'un nombre suffisant de fréquences radio soit alloués aux entités évoluant sur l'aire de trafic. En France, Les fréquences radioélectriques appartiennent au domaine public de l'État. Celui-ci a confié à l'Agence nationale des Fréquences (ANF) les missions de planification, de gestion de l'implantation des émetteurs, de contrôle et enfin de délivrance de certaines autorisations et certificats radio.

Les procédures et missions prévues aux projets de textes doivent être définies et mises en oeuvre en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

## Propositions

Indiquer par qui les procédures doivent être définies en laissant la flexibilité aux États membres de désigner l'autorité en charge de la procédure, éventuellement par un texte réglementaire (Cf. les règles de l'air).

- ADR.OPS.D.025 Apron management boundaries



Remplacer « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Supprimer l'IR

Courtesy translation

Coordination

Comments

Measures today done by the State, in France, must be realized and/or promulgated by the aerodrome operator or the apron management service (Coordination of aircraft entry to/exit from the apron, publication of the aeronautical information, management of the movements of vehicles, etc.). The frontier between verify that a measure is taken, the enactment of a rule and the power to take measures of coercion which we possibly have to take is not clear.

For example, ADR.OPS.D.020 - Coordination of aircraft entry to/exit from the apron and ADR.OPS.D.015 Management. of aircraft movement on the apron: we understand that we have to verify that the entry/exit of aircrafts on the apron must be coordinated with the air navigation service provider (ANSP). Reading this IR, it is enough to have an arrangement.

But reading AMC1 ADR.OPS.D.020 Coordination of aircraft entry to/exit from the apron COORDINATION: it is written that the operator has to establish procedures of transfer of aircrafts with the ANSP.

ADR.OPS.D.020 and ADR.OPS.D.015, clearly gives the operator the responsibility of the coordination of the entrances/exits of planes onto the apron (" shall ensure that ") and of the movement of aircrafts, if we combine these rules with the ADR.OPS.D.001 (Provision of services).

These procedures should be defined by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (ie Air Rules). ADR.OPS.D.025 Apron management boundaries oblige aerodrome operator to publish apron boundaries. In France, air information publication is under responsibility of the Air Information Service

(SIA) who is in charge to publish all information in coordination with aerodrome operator who is in charge to give information up to date.

Also, ADR.OPS.D.030 Assignment of radio frequencies to apron management service, Gives the aerodrome operator the mission to make sure that a sufficient number of radio frequencies is assigned to the entities evolving on the apron. In France, The radio frequencies belong to the public domain of the State. It was entrusted to the national Agency of the Frequencies (ANF) the missions of planning, management of the setting-up broadcasting stations, oversight and finally delivery certain authorizations and radio certificates.

Proposal

Define who is in charge to define these procedures by offering to Member states the flexibility to appoint a competent authority in charge to implement the procedure, or to define a internal state rule (i.e.Air Rules).

- ADR.OPS.D.025 Apron management boundaries

Remplace « publish » par « provide »

- ADR.OPS.D.030 Assignment of radio frequencies to apron management service

Delete this rule

response

*Noted*

comment

909 ❖

comment by: HIA - Highlands and Islands Airports Limited



|          |                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |
| response | <i>Noted</i>                                                                                                                                                                               |

|                                                                                                                                                                                                                                        |          |
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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.045 Management of apron safety</b> | p. 63-64 |
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|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                      |
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| comment  | 23                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | comment by: <i>Aena Aeroportos, S.A.</i>             |
|          | <p>Each country has its own health and safety rules. In the case of Spain, Personal Protective Equipment for workers must be fixed by the employer/company.</p> <p>However, the company must take into account and accomplish the guidelines and standards set by the airport operator.</p>                                                                                                                                                                                                           |                                                      |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                      |
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>ADV - German Airports Association</i> |
|          | <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p> |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                      |
|          | <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                    |                                                      |
| comment  | 527                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>BAA Airside operations</i>            |
|          | <p>GM2 ADR.OPS.D.045<br/> Add "excluding dispenser vehicles" or - alternatively - limit to "fuel bowsers only". Justification: If an underground fueling system is used an exit path for dispenser vehicles does not mitigate the risk. My understanding is that if there is a fire the driver of a dispensing vehicle will not try to move his vehicle. Therefore there is no logic to maintain a clear exit path for dispenser vehicles.</p>                                                        |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                      |
|          | <p>Only fuel bowsers have been included.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                      |
| comment  | 604                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>Belgian CAA</i>                       |



|          |                                                                                                                                                                                                                                                                                                     |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | Add "where applicable" in (m).<br>(j) <u>safety precautions during aircraft refuelling</u> ;<br>Refuelling is related to ground handling activities (= out of scope). Better put this in GM.                                                                                                        |
| response | <i>Partially accepted</i><br><br>The phrase 'where applicable' has been included in point (m).<br><br>Concerning refuelling, although it is considered to be ground handling activity, the aerodrome operator should establish some safety requirements.                                            |
| comment  | 909 ❖ <span style="float: right;">comment by: HIA - Highlands and Islands Airports Limited</span><br><br>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                        |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC2 ADR.OPS.D.045 Management of apron safety** p. 64

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 128 ❖ <span style="float: right;">comment by: ADV - German Airports Association</span><br><br>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |
| response | <i>Accepted</i><br><br>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                                                                                           |
| comment  | 134 <span style="float: right;">comment by: ADV - German Airports Association</span><br><br>The aerodrome operator cannot enforce measures directed towards police or other state entities. Amend accordingly.                                                                                                                                                                                                                                                                                                                                                                               |
| response | <i>Accepted</i><br><br>The text has been revised, and the aerodrome operator is responsible to ensure that enforcement measures are established and implemented. Indeed, in some Member States, the aerodrome operator cannot enforce measures towards police or other state entities. However, a misconduct from these organisations may impair safety. The Agency is not providing a solution for this specific case, but it is expected that, in the interest of safety, arrangements exist between the aerodrome operator and these organisations in order to deal with misconduct.      |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 255<br>❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
| comment  | 330                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Avinor</i>                                                                                                                    |
|          | The measures foreseen in this provision are not enforceable in some Member States. An aerodrome operator cannot enforce measures directed towards police or other state entities in some Member States. Amend accordingly.                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | The text has been revised and the aerodrome operator is responsible to ensure that enforcement measures are established and implemented. Indeed, in some Member States the aerodrome operator cannot enforce measures towards police or other state entities. However, a misconduct from these organisations may impair safety. The Agency is not providing a solution for this specific case, but it is expected that, in the interest of safety, arrangements exist between the aerodrome operator and these organisations in order to deal with misconduct. |                                                                                                                                              |
| comment  | 331                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Avinor</i>                                                                                                                    |
|          | Paragraphs (a)(1) and (a)(2) are far too detailed and selective as FOD can be caused by multiple other activities (construction or maintenance works, loading and unloading of aircraft,...).                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                              |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                              |
|          | Indeed, FOD can be produced from many activities on the apron, however, point (a) refers to FOD produced during the ground servicing of aircraft.                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                              |
| comment  | 332                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Avinor</i>                                                                                                                    |
|          | Add "excluding dispenser vehicles" or - alternatively - limit to "fuel bowsers only". Justification: If an underground fueling system is used an exit path for dispenser vehicles does not mitigate the risk. The underground fueling system has to be considered as the hazard and not the dispenser vehicles. Therefore, the risk needs to be mitigated by the installation of fuel stop buttons on apron level and not by providing exit paths for dispenser vehicles.                                                                                      |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | Only fuel bowsers have been included.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                              |
| comment  | 368                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Aéroports De Lyon</i>                                                                                                         |
|          | <b>AMC2 ADR.OPS.D.045 Management of apron safety</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |



## MONITORING APRON DISCIPLINE

(a) The aerodrome operator, either through its own means or through arrangements with other parties, should monitor activities on the apron and **take actions** when deviations from established rules are observed.

(b) If the designated party for monitoring apron discipline is different from the aerodrome operator, the latter **should be informed of any deviations observed**.

(c) The aerodrome operator should **establish and implement enforcement measures** for violation of the established apron safety rules.

[Commentaire : Rôle de la GTA, qui n'a aucune obligation d'informer l'exploitant en cas de violation de règles.](#)

response *Noted*

comment 443

comment by: *ACI EUROPE (Airports Council International)*

(c): The measures foreseen in this provision are not enforceable in some Member States. An aerodrome operator cannot enforce measures directed towards police or other state entities in some Member States. Amend accordingly.

response *Accepted*

The text has been revised and the aerodrome operator is responsible to ensure that enforcement measures are established and implemented. Indeed, in some Member States the aerodrome operator cannot enforce measures towards police or other state entities. However, a misconduct from these organisations may impair safety. The Agency is not providing a solution for this specific case, but it is expected that, in the interest of safety, arrangements exist between the aerodrome operator and these organisations in order to deal with misconduct.

comment 495

comment by: *DGAC France*

**ADR.OPS.D.045 Management of apron safety****Level 1 - Fundamental comment**

The establishment and implementation of safety rules on the apron may be done by local authorities upstream to the aerodrome operator. It is the case in France, as the Préfet (local representative of the French State) is responsible for promulgating "arrêtés de police" on each aerodrome, establishing among other things high-level safety rules on the movement area. Then the aerodrome operator takes these rules into account in its own operating rules, which are more detailed. In France, as regards enforcement issue, the aerodrome operator itself can't take enforcement measures, which is a State prerogative. The aerodrome operator monitors the application of the rules and notifies any deviation to the local authorities, which may then take enforcement measures.

It is therefore proposed to slightly modify AMC2 ADR.OPS.D.045 to add more flexibility, in order to take into account the situation where the aerodrome operator doesn't implement enforcement measures, but instead refers to local authorities who will take the measures.

**AMC2 ADR.OPS.D.045 Management of apron safety****MONITORING APRON DISCIPLINE**

[...]

(c) The aerodrome operator should ~~establish and implement~~ **ensure** enforcement measures **are established and implemented** for violation of the established apron safety rules.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | <p>548 <span style="float: right;">comment by: <i>Swedish Transport Agency</i></span></p> <p>(c) An aerodrome operator cannot enforce measures directed towards police or other state entities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| response | <p><i>Accepted</i></p> <p>Text has been revised and the aerodrome operator is responsible to ensure that enforcement measures are established and implemented. Indeed, in some Member States the aerodrome operator cannot enforce measures towards police or other state entities. However, a misconduct from these organisations may impair safety. The Agency is not providing a solution for this specific case, but it is expected that, in the interest of safety, arrangements exist between the aerodrome operator and these organisations in order to deal with misconduct.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | <p>735 <span style="float: right;">comment by: <i>Pau Pyrénées Airport - PUF/LFBP</i></span></p> <p>Attachment <a href="#">#151</a></p> <p style="text-align: center;"><b>Répartition des missions, responsabilités et principe de sécurité juridique</b></p> <p>Objet</p> <p>Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.</p> <p>Références</p> <ul style="list-style-type: none"> <li>┆ ADR.OR.D.018 Training and proficiency check programs - providers of apron management services       <ul style="list-style-type: none"> <li>o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs</li> </ul> </li> <li>┆ ADR.OR.D.032 Safety reporting system - providers of apron management services</li> <li>┆ ADR.OPS.D.001 Provision of services       <ul style="list-style-type: none"> <li>o GM1 ADR.OPS.D.001 Provision of services</li> </ul> </li> <li>┆ ADR.OPS.D.005 Functions of a provider of apron management services</li> <li>┆ ADR.OPS.D.060 Aircraft parking       <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE</li> </ul> </li> </ul> <p>Commentaires</p> <p>Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.</p> <p>Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.</p> <p>Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de</p> |



notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aérodromes de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsibility") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety



Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the service is provided by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establishing clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application to ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, "

ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

GM1. ARD.OPS.D.001 highlights the same difficulty as GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on the one hand because there is a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;

- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recalled by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safety requires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ; "The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :



We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follows :

“The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any noncompliance by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
by  
(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.  
by  
(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

comment 829 comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

The measures foreseen in this provision are not enforceable in some Member States. An aerodrome operator cannot enforce measures directed towards police or other state entities in some Member States. Amend accordingly.

response *Accepted*

Text has been revised and the aerodrome operator is responsible to ensure that enforcement measures are established and implemented. Indeed, in some Member States the aerodrome operator cannot enforce measures towards police or other state entities. However, a misconduct from these organisations may impair safety. The Agency is not providing a solution for this specific case, but it is expected that, in the interest of safety, arrangements exist between the aerodrome operator and these organisations in order to deal with misconduct.

comment 908 comment by: *ADP : Aeroports de Paris*

Cf. ADP comments # 897 and 899

response *Accepted*

Point (c) of the AMC has been revised as follows:

‘The aerodrome operator should ensure enforcement measures are established and



implemented for violation of the established safety rules.'

|          |                                                                                                                                                                                            |                                                          |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| comment  | 909 ❖                                                                                                                                                                                      | comment by: HIA - Highlands and Islands Airports Limited |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |                                                          |
| response | Noted                                                                                                                                                                                      |                                                          |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                            |
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| comment  | 949                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: Airport Zurich |
|          | <p><b>Comment:</b></p> <p>The measures foreseen in this provision are not enforceable in some Member States. An aerodrome operator cannot enforce measures directed towards police or other state entities in some Member States.</p> <p><b>Justification:</b></p> <p>Amend accordingly.<br/> Comment by: ZRH/OF</p>                                                                                                                                                                                                                                                                  |                            |
| response | <p>Accepted</p> <p>The text has been revised and the aerodrome operator is responsible to ensure that enforcement measures are established and implemented. Indeed, in some Member States the aerodrome operator cannot enforce measures towards police or other state entities. However, a misconduct from these organisations may impair safety. The Agency is not providing a solution for this specific case, but it is expected that, in the interest of safety, arrangements exist between the aerodrome operator and these organisations in order to deal with misconduct.</p> |                            |

|          |                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                 |
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| comment  | 954                                                                                                                                                                                                                                                                                                                                                                                                     | comment by: ENAC Ente Nazionale per l'Aviazione Civile (Italia) |
|          | <p>As the Aerodrome Operator is not empowered, in some Member States, to establish and/or to directly implement enforcement measures for violations of "airport rules", a change of the subpoint (c) text is proposed:</p> <p>(c) The aerodrome operator should <u>ensure that</u> enforcement measures are <u>established and implemented</u> for violation of the established apron safety rules.</p> |                                                                 |
| response | <p>Accepted</p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                           |                                                                 |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                             |
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| comment  | 1038                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: <i>Turin Airport - TRN/LIMF</i> |
|          | The measures foreseen in this provision are not enforceable in some Member States. An aerodrome operator cannot enforce measures directed towards police or other state entities in some Member States. Amend accordingly.                                                                                                                                                                                                                                                                                                                                     |                                             |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                             |
|          | The text has been revised and the aerodrome operator is responsible to ensure that enforcement measures are established and implemented. Indeed, in some Member States the aerodrome operator cannot enforce measures towards police or other state entities. However, a misconduct from these organisations may impair safety. The Agency is not providing a solution for this specific case, but it is expected that, in the interest of safety, arrangements exist between the aerodrome operator and these organisations in order to deal with misconduct. |                                             |

|                                                                                                                                                                                                                                       |       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM1 ADR.OPS.D.045 Management of apron safety</b> | p. 64 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                      |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 72                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>Flughafen Berlin Brandenburg GmbH</i> |
|          | Paragraphs (a)(1) and (a)(2) are far too detailed and selective as FOD can be caused by multiple other activities (construction or maintenance works, loading and unloading of aircraft,...).                                                                                                                                                                                                                                                                                                  |                                                      |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                      |
|          | Indeed, FOD can be produced from many activities on the apron, however, point (a) refers to FOD produced during the ground servicing of aircraft.                                                                                                                                                                                                                                                                                                                                              |                                                      |
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i> |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                      |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                                      |
| comment  | 135                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>ADV - German Airports Association</i> |
|          | Paragraphs (a)(1) and (a)(2) are far too detailed and selective as FOD can be caused by multiple other activities (construction or maintenance works, loading and unloading of aircraft,...).                                                                                                                                                                                                                                                                                                  |                                                      |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|          | Indeed, FOD can be produced from many activities on the apron, however, point (a) refers to FOD produced during the ground servicing of aircraft.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | 255 comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|          | Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | 265 comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|          | Re: paragraph b.4:<br>This provision would mean that catch fencing has to be installed everywhere on the airport as an airport is one big open area.<br>It is proposed to rephrase this provision to:<br>"Installing catch fencing in suitable locations on the apron to trap wind-blown FOD"<br><br>Also it is recommended to delete the "examples" in paragraph a (e.g. (1) to (3)) as this seems to be too specific. Moreover this list is by far not exhaustive which would mean that by keeping the "examples" the list would have to be extended as well to include all possible sources of FOD which is probably impossible.<br>Simplification of paragraph (a) would seem to be the best solution here. |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|          | The proposal to revise point (b)(4) has been accepted. Paragraph (a) refers to FOD produced during the ground servicing of the aircraft. The purpose of the GM is to provide further information to the aerodrome operator and the list is not exhaustive.                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| comment  | 444 comment by: <i>ACI EUROPE (Airports Council International)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|          | Paragraphs (a)(1) and (a)(2) are far too detailed and selective as FOD can be caused by multiple other activities (construction or maintenance works, loading and unloading of aircraft,...).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|          | Indeed, FOD can be produced from many activities on the apron, however, point (a) refers to FOD produced during the ground servicing of aircraft.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | 830 comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|          | Paragraphs (a)(1) and (a)(2) are far too detailed and selective as FOD can be caused by multiple other activities (construction or maintenance works, loading and unloading of aircraft,...).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <i>Partially accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |



Indeed, FOD can be produced from many activities on the apron, however, point (a) refers to FOD produced during the ground servicing of aircraft.

comment 909 ❖ comment by: HIA - Highlands and Islands Airports Limited

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response *Noted*

comment 1039 comment by: Turin Airport - TRN/LIMF

Paragraphs (a)(1) and (a)(2) are far too detailed and selective as FOD can be caused by multiple other activities (construction or maintenance works, loading and unloading of aircraft,...).

response *Partially accepted*

Indeed, FOD can be produced from many activities on the apron, however, point (a) refers to FOD produced during the ground servicing of aircraft.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT p. 64-65 SERVICES — GM2 ADR.OPS.D.045 Management of apron safety**

comment 24 comment by: Aena Aeropuertos, S.A.

What does “fuelling zone” mean?

response *Noted*

‘Fuelling zone’ is an area where refuelling takes place.

comment 73 comment by: Flughafen Berlin Brandenburg GmbH

Unless providing into-plane services aerodrome operators are not concerned with aircraft refueling. INstead Annex 1 to EU-OPS 1.305 sets out requirements an aircraft operator has to comply with with regard to re- or de-fueling with passengers embarking, on board or disembarking. In addition to this, each aircraft operator may have own (additional) company procedures that vary in detail. Hence, delete entire GM2 ADR.OPS.D.045

response *Noted*

Regulation (EU) No 965/2012 and more specifically CAT.OP.MPA.195 deals only with refuelling/defuelling with passengers embarking, on board or disembarking. The provisions there do not cover normal refuelling operations.

comment 88 comment by: Flughafen Berlin Brandenburg GmbH

Modify (c) as - in the case of underground fueling systems - the exit path for dispenser



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p>vehicles does not mitigate the risk. The underground fueling system has to be considered as the hazard and not the dispenser veicles. Therefore, the rsik needs to mitigated by the installation of fuel stop buttons on apron level and not by providing exit paths for dispenser vehicles.</p> <p><i>Accepted</i></p> <p>Only fuel bowsers have been included.</p>                                                                                                                                                                                                                                    |
| comment  | <p>128 ❖ <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p> <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p> |
| response | <p><i>Accepted</i></p> <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>136 <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p> <p>Delete. Aerodrome operators are not concerned with aircraft refuelling. Instead Annex 1 to EU-OPS 1.305 sets out requirements an aircraft operator has to comply with with regard to re- or de-fuelling with passengers embarking, on board or disembarking. In addition to this, each aircraft operator may have own (additional) company procedures that vary in detail.</p>                                                                                                                       |
| response | <p><i>Noted</i></p> <p>Regulation (EU) No 965/2012 and more specifically CAT.OP.MPA.195 deals only with refuelling/defuelling with passengers embarking, on board or disembarking. The provisions there do not cover normal refuelling operations.</p>                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>255 ❖ <span style="float: right;">comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></span></p> <p>Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.</p>                                                                                                                                                                                                                                                                                        |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>280 <span style="float: right;">comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></span></p> <p>The aerodrome operator has no means to make sure that the pilot doesn't start the APU (auxiliary power unit) while refuelling is in progress (paragraph b).<br/>This needs to be covered by aircraft operating procedures and should therefore be deleted</p>                                                                                                                                                |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|          | from this text.<br>GPU on the other hand can be kept.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| response | <i>Accepted</i><br><br>The text has been revised as proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | 445 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span><br><br>(c): Add "excluding dispenser vehicles" or - alternatively - limit to "fuel bowsers only".<br>Justification: If an underground fueling system is used an exit path for dispenser vehicles does not mitigate the risk. The underground fueling system has to be considered as the hazard and not the dispenser vehicles. Therefore, the risk needs to be mitigated by the installation of fuel stop buttons on apron level and not by providing exit paths for dispenser vehicles.                                          |
| response | <i>Accepted</i><br><br>Only fuel bowsers have been included.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | 447 <span style="float: right;">comment by: <i>ACI EUROPE (Airports Council International)</i></span><br><br>Aerodrome operators are not directly responsible for individual aircraft refuelling. Instead Annex 1 to EU-OPS 1.305 sets out requirements an aircraft operator has to comply with with regard to re- or de-fuelling with passengers embarking, on board or disembarking. In addition to this, each aircraft operator may have own (additional) company procedures that vary in detail. Delete the entire GM2 ADR.OPS.D.045.                                                                                               |
| response | <i>Noted</i><br><br>Regulation (EU) No 965/2012 and more specifically CAT.OP.MPA.195 deals only with refuelling/defuelling with passengers embarking, on board or disembarking. The provisions there do not cover normal refuelling operations.                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | 567 <span style="float: right;">comment by: <i>Finavia</i></span><br><br>Comment: Also aircraft operator, ground handling company and fuelling company has to comply with in regards to re/defuelling with passengers embarking, on board or disembarking. Please note that in the cases where the aerodrome operator does not offer any ground handling services, this paragraph is too detailed in present form.<br>Proposed action: Replace the entire text by: The aerodrome operator should ensure that personnel responsible for fuelling operations is familiar with the provisions of ADR.OR.C.040 and Annex 1 to EU-OPS 1.305. |
| response | <i>Noted</i><br><br>ADR.OR.C.040 refers to the prevention of fire and Regulation (EU) No 965/2012 CAT.OP.MPA.195 deals only with refuelling/defueling with passengers embarking, on board or disembarking. The provisions there do not cover normal refuelling operations.                                                                                                                                                                                                                                                                                                                                                              |
| comment  | 722 <span style="float: right;">comment by: <i>Air France</i></span>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



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|          | <p>Even if th ADR regulation isn't directly applicable for an airline, it is important to check the interface between the airport practices and the airline practices.</p> <p>GM2 ADR.OPS.D.045 Management of apron safety (b) auxiliary power units and ground power units are not started during the refuelling operation;</p> <p>Proposal : APU should be removed and it should be added "in the fueling zone".<br/>Justification : APU is outside the fueling zone, and its start during refuelling is pretty common.</p>                                                                                |
| response | <p><i>Accepted</i></p> <p>APU has been removed from point (b).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| comment  | <p>831 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span></p> <p>Add "excluding dispenser vehicles" or - alternatively - limit to "fuel bowsers only".<br/>Justification: If an underground fueling system is used an exit path for dispenser vehicles does not mitigate the risk. The underground fueling system has to be considered as the hazard and not the dispenser vehicles. Therefore, the risk needs to be mitigated by the installation of fuel stop buttons on apron level and not by providing exit paths for dispenser vehicles.</p> |
| response | <p><i>Accepted</i></p> <p>Only fuel bowsers have been included.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | <p>832 <span style="float: right;">comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i></span></p> <p>Aerodrome operators are not concerned with aircraft refuelling. Instead Annex 1 to EU-OPS 1.305 sets out requirements an aircraft operator has to comply with with regard to re- or de-fuelling with passengers embarking, on board or disembarking. In addition to this, each aircraft operator may have own (additional) company procedures that vary in detail. Delete the entire GM2 ADR.OPS.D.045.</p>                                                                       |
| response | <p><i>Noted</i></p> <p>Regulation (EU) No 965/2012 and more specifically CAT.OP.MPA.195 deals only with refuelling/defuelling with passengers embarking, on board or disembarking. The provisions there do not cover normal refuelling operations.</p>                                                                                                                                                                                                                                                                                                                                                       |
| comment  | <p>909 ❖ <span style="float: right;">comment by: <i>HIA - Highlands and Islands Airports Limited</i></span></p> <p>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.</p>                                                                                                                                                                                                                                                                                            |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | <p>975 <span style="float: right;">comment by: <i>IDRF e.V. (association of regional airports)</i></span></p> <p>Inconsistency with responsibilities may occur between aerodrome operator, apron</p>                                                                                                                                                                                                                                                                                                                                                                                                         |



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| response | <p>management service provider, airline and fuel supplier. It should be clearly stated that the handling with fuel is mainly the responsibility of the fuel supplier and the airline. Only if the aerodrome/apron-provider is also supplying fuel they are responsible.</p> <p><i>Noted</i></p> <p>The aerodrome operator is not responsible to apply the procedures; he is, however, responsible to ensure that procedures are followed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| comment  | <p>987 <span style="float: right;">comment by: AESA - Spanish CAA</span></p> <p>In GM2 ADR.OPS.D.045 the following changes should be addressed (added text underlined):</p> <p>(a) open flames <u>and electric tools or similar tools likely to produce sparks or arcs</u> are not allowed within the fuelling zone.</p> <p>(b) Auxiliary power units, ground power units and <u>battery chargers are not connected or disconnected</u> during the refuelling operation.</p> <p>(d) aircraft and supply sources and <u>aircraft and fuelling equipment</u> are correctly bonded and the correct earthing procedures have been employed;</p> <p>(g) <u>if passengers are embarking, on board or disembarking, the Rescue and Fire Fighting Services have been notified to respond in the event of any emergency;</u> and</p> <p>(h) <u>detailed procedures have been laid down when electrical storms are in the vicinity of the airport.</u></p> |
| response | <p><i>Partially accepted</i></p> <p>Points (a), (d) and (h) have been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>1040 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span></p> <p>Add "excluding dispenser vehicles" or - alternatively - limit to "fuel bowsers only".</p> <p>Justification: If an underground fuelling system is used an exit path for dispenser vehicles does not mitigate the risk. The underground fuelling system has to be considered as the hazard and not the dispenser vehicles.</p> <p>Therefore, the risk needs to be mitigated by the installation of fuel stop buttons on apron level and not by providing exit paths for dispenser vehicles.</p>                                                                                                                                                                                                                                                                                                                                                             |
| response | <p><i>Accepted</i></p> <p>Only fuel bowsers have been included.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| comment  | <p>1041 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span></p> <p>Aerodrome operators are not concerned with aircraft refuelling.</p> <p>Instead Annex 1 to EU-OPS 1.305 sets out requirements an aircraft operator has to comply with with regard to re- or defuelling with passengers embarking, on board or disembarking. In addition to this, each aircraft operator may have own (additional) company procedures that vary in detail. Delete the entire GM2 ADR.OPS.D.045.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Noted</i></p> <p>Regulation (EU) No 965/2012 and more specifically CAT.OP.MPA.195 deals only with refuelling/defuelling with passengers embarking, on board or disembarking. The provisions</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |



there do not cover normal refuelling operations.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM3 ADR.OPS.D.045 Management of apron safety**

p. 65

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| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
| comment  | 255 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
| comment  | 335                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Avinor</i>                                                                                                                    |
|          | Aerodrome operators are not concerned with aircraft refuelling. Instead Annex 1 to EU-OPS 1.305 sets out requirements an aircraft operator has to comply with with regard to re- or de-fuelling with passengers embarking, on board or disembarking. In addition to this, each aircraft operator may have own (additional) company procedures that vary in detail. Delete the entire GM2 ADR.OPS.D.045.                                                                                        |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
|          | Regulation (EU) No 965/2012 and more specifically CAT.OP.MPA.195 deals only with refuelling/defuelling with passengers embarking, on board or disembarking. The provisions there do not cover normal refuelling operations.                                                                                                                                                                                                                                                                    |                                                                                                                                              |
| comment  | 602                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Belgian CAA</i>                                                                                                               |
|          | Has no added value.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
| comment  | 909 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>HIA - Highlands and Islands Airports Limited</i>                                                                              |



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|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |
| response | <i>Noted</i>                                                                                                                                                                               |

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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.050(a) Aircraft stand allocation</b> | p. 65 |
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| comment  | 16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>Amsterdam Airport Schiphol - AMS/EHAM (and D.A.A)</i> |
|          | add also:<br>g) pushback vehicles<br>h) emergency vehicles                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                      |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                      |
| comment  | 74                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>                 |
|          | This list is too detailed. Some parameters mentioned (like vicinity of infrastructure or certain facilities / equipment serving the stand) are rather commercial aspects during stand allocation. Move the entire AMC to GM.                                                                                                                                                                                                                                                                   |                                                                      |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                      |
|          | The proposed AMC does not relate to commercial aspects. All the proposed parameters are related mainly to safety and ensure that the stand is safe for the aircraft.                                                                                                                                                                                                                                                                                                                           |                                                                      |
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i>                 |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                      |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                                                      |
| comment  | 137                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>ADV - German Airports Association</i>                 |
|          | Move to GM. This list is too detailed. Some parameters mentioned like vicinity of infrastructure, parking aids, and facilities serving the stand are rather commercial aspects during stand allocation.                                                                                                                                                                                                                                                                                        |                                                                      |
| response | <i>Not accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                      |



The proposed AMC does not relate to commercial aspects. All the proposed parameters are related mainly to safety and ensure that the stand is safe for the aircraft.

comment 216 comment by: *Swedavia AB - Swedish airports*

This list is too detailed. Some parameters mentioned like vicinity of infrastructure, parking aids, and facilities serving the stand are rather commercial aspects during stand allocation. Move the entire AMC to GM.

response *Not accepted*

The proposed AMC does not relate to commercial aspects. All the proposed parameters are related mainly to safety and ensure that the stand is safe for the aircraft.

comment 255 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre*

Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.

response *Noted*

comment 282 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre*

Where is the safety gain if "parking aids", "facilities serving the stand" and "vicinity of infrastructure" are considered when stand allocation is performed?  
(b), (c) and (d) should be deleted from this list.

response *Not accepted*

The parking aids are related to the accuracy of the parking manoeuvre, the facilities serving the stand are related to fixed installations that reduce the need for additional ground equipment (stairs, buses for passenger transportation, ground power units, etc.) and the vicinity of infrastructure is related to safety clearances.

comment 340 comment by: *Avinor*

This list is too detailed. Some parameters mentioned like vicinity of infrastructure, parking aids, and facilities serving the stand are rather commercial aspects during stand allocation. Move the entire AMC to GM.

response *Not accepted*

The proposed AMC does not relate to commercial aspects. All the proposed parameters are related mainly to safety and ensure that the stand is safe for the aircraft.

comment 448 comment by: *ACI EUROPE (Airports Council International)*

This list is too detailed. Some parameters mentioned like vicinity of infrastructure, parking aids, and facilities serving the stand are rather commercial aspects during stand allocation.



|          |                                                                                                                                                                                                                                                                                                                                         |
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|          | Move the entire AMC to GM.                                                                                                                                                                                                                                                                                                              |
| response | <i>Not accepted</i><br><br>The proposed AMC does not relate to commercial aspects. All the proposed parameters are related mainly to safety and ensure that the stand is safe for the aircraft.                                                                                                                                         |
| comment  | 833 <span style="float: right;">comment by: Assaeroporti - Associazione Italiana Gestori Aeroporti</span><br><br>This list is too detailed. Some parameters mentioned like vicinity of infrastructure, parking aids, and facilities serving the stand are rather commercial aspects during stand allocation. Move the entire AMC to GM. |
| response | <i>Not accepted</i><br><br>The proposed AMC does not relate to commercial aspects. All the proposed parameters are related mainly to safety and ensure that the stand is safe for the aircraft.                                                                                                                                         |
| comment  | 909 ❖ <span style="float: right;">comment by: HIA - Highlands and Islands Airports Limited</span><br><br>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                     |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                            |
| comment  | 1044 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span><br><br>This list is too detailed. Some parameters mentioned like vicinity of infrastructure, parking aids, and facilities serving the stand are rather commercial aspects during stand allocation. Move the entire AMC to GM.                              |
| response | <i>Not accepted</i><br><br>The proposed AMC does not relate to commercial aspects. All the proposed parameters are related mainly to safety and ensure that the stand is safe for the aircraft.                                                                                                                                         |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.050(b) Aircraft stand allocation**

p. 65

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| comment  | 9 <span style="float: right;">comment by: Jan Loncke</span><br><br>AMC1 ADR.OPS.D.050 (b)<br>Consider rewording 'leader van'.<br>Suggestion : "Follow-me". |
| response | <i>Accepted</i><br><br>The term 'leader-van' has been replaced by 'FOLLOW-ME'.                                                                             |



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| comment  | 17                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>Amsterdam Airport Schiphol - AMS/EHAM (and D.A.A)</i>                                                                         |
|          | add also:<br>f) VDGS                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |
| response | <i>Accepted</i><br>VDGS has been added as point (e).                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                                                                                                              |
| response | <i>Accepted</i><br>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                 |                                                                                                                                              |
| comment  | 255 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
| comment  | 272                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | What is R/T?<br>Please provide full name.                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                              |
| response | <i>Accepted</i><br>R/T has been replaced by 'radio frequency'.                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                              |
| comment  | 603                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Belgian CAA</i>                                                                                                               |
|          | Replace "leader van" by "follow me".                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |
| response | <i>Accepted</i><br>The term 'leader-van' has been replaced by 'FOLLOW-ME'.                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                              |
| comment  | 909 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>HIA - Highlands and Islands Airports Limited</i>                                                                              |



|          |                                                                                                                                                                                            |
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|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |
| response | <i>Noted</i>                                                                                                                                                                               |
| comment  | 977 <span style="float: right;">comment by: IDRF e.V. (association of regional airports)</span><br>move to guidance material, AMC is limiting other good practices which may be safe       |
| response | <i>Not accepted</i><br><br>The AMC attempted to cover all the possible cases. This does not prevent the use of any other good practice as an alternative means of compliance.              |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM1 ADR.OPS.D.050 Aircraft stand allocation** p. 66

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 25 <span style="float: right;">comment by: Aena Aeropuertos, S.A.</span><br><br>Some airports in Spain have dedicated aprons, mainly for maintenance and construction of aircrafts, which are managed directly by a company or aircraft manufacturer. Normally, the airport operator doesn't carry out any task in these aprons.<br>We understand this GM1 must be applied to aprons for commercial operations, general aviation and other types of traffic, shared by different users of the airport.<br>The responsibility of the regarding the guarantee that safety levels are maintained, must be limited to the agreements established with the apron operator. The possibility of excluding some aprons or parts of the aprons from this GM1 must be considered. |
| response | <i>Noted</i><br><br>The GM provides some further information concerning the allocation of responsibilities. This does not prevent the aerodrome operator to delegate the task to other entities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | 128 ❖ <span style="float: right;">comment by: ADV - German Airports Association</span><br><br>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should..."                                                                                                                                                                             |
| response | <i>Accepted</i><br><br>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



|          |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 255 ❖ | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i>                                                                                                                                                                                                                                                                                                           |
|          |       | Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.                                                                                                                                                                                                                                                                                                                                        |
| response |       | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|          |       | ADR.OPS.D.020 has been divided in two parts. The first part (new number ADR.OPS.D.015) refers to the responsibility of the aerodrome operator to ensure that coordination procedures for aircraft entry to/exit from the apron are established, while the second part (ADR.OPS.E.010) refers to the responsibility of the provider of apron management services to coordinate the aircraft entry to/exit from the apron with the air traffic services. |
| comment  | 909 ❖ | comment by: <i>HIA - Highlands and Islands Airports Limited</i>                                                                                                                                                                                                                                                                                                                                                                                        |
|          |       | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                                                                                                                                                                                                                                             |
| response |       | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                           |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM1 ADR.OPS.D.050(a) Aircraft stand allocation** p. 66-67

|          |    |                                                                                                                                                                                     |
|----------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 18 | comment by: <i>Amsterdam Airport Schiphol - AMS/EHAM (and D.A.A)</i>                                                                                                                |
|          |    | at f add:<br>and observing other taffic vehicles                                                                                                                                    |
| response |    | <i>Noted</i>                                                                                                                                                                        |
|          |    | Indeed, the cockpit view is important for observing other traffic, however, during the parking manaoeuve, cockpit view is important to maintain a view of the stand entry guidance. |
| comment  | 75 | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>                                                                                                                                |
|          |    | The wingspan has no direct influence on the allocation of gates (in the sense of passenger waiting areas). Replace "gate" with "stand" in (d).                                      |
| response |    | <i>Accepted</i>                                                                                                                                                                     |
|          |    | The text has been revised as proposed.                                                                                                                                              |
| comment  | 76 | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>                                                                                                                                |
|          |    | Gates and aircraft stands do not necessarily match. Remote aircraft stands may, for example, be allocated independently from gates. Delete (i).                                     |
| response |    | <i>Accepted</i>                                                                                                                                                                     |



Point (i) has been deleted.

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                              |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p> |                                                                                                                                              |
| response | <p><i>Accepted</i></p> <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                             |                                                                                                                                              |
| comment  | 139                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | <p>(d) The wingspan has no direct influence on the allocation of gates (in the sense of passenger waiting areas.) Replace "gate" with "stand" .</p>                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                              |
| comment  | 140                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>ADV - German Airports Association</i>                                                                                         |
|          | <p>(i) Delete. Gates and aircraft stands do not necessarily match. Remote aircraft stands may, for example, be allocated independently from gates.</p>                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
| response | <p><i>Accepted</i></p> <p>Point (i) has been deleted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                              |
| comment  | 255 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | <p>Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.</p>                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                              |
| comment  | 341                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | comment by: <i>Avinor</i>                                                                                                                    |
|          | <p>The wingspan has no direct influence on the allocation of gates (in the sense of passenger waiting areas.) Replace "gate" with "stand" in (d).</p>                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                              |
| response | <p><i>Accepted</i></p> <p>The text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                              |



|          |                                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 342                                                                                                                                                                                                                                                                                                                            | comment by: <i>Avinor</i>                                                                                                                    |
|          | Gates and aircraft stands do not necessarily match. Remote aircraft stands may, for example, be allocated independently from gates. Delete (i).                                                                                                                                                                                |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | Point (i) has been deleted.                                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
| comment  | 449                                                                                                                                                                                                                                                                                                                            | comment by: <i>ACI EUROPE (Airports Council International)</i>                                                                               |
|          | The wingspan has no direct influence on the allocation of gates (in the sense of passenger waiting areas.) Replace "gate" with "stand" in (d).                                                                                                                                                                                 |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | The text has been revised as proposed.                                                                                                                                                                                                                                                                                         |                                                                                                                                              |
| comment  | 450                                                                                                                                                                                                                                                                                                                            | comment by: <i>ACI EUROPE (Airports Council International)</i>                                                                               |
|          | (i): Gates and aircraft stands do not necessarily match. Remote aircraft stands may, for example, be allocated independently from gates. Delete (i).                                                                                                                                                                           |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | Point (i) has been deleted.                                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
| comment  | 834                                                                                                                                                                                                                                                                                                                            | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i>                                                                    |
|          | The wingspan has no direct influence on the allocation of gates (in the sense of passenger waiting areas.) Replace "gate" with "stand" in (d).                                                                                                                                                                                 |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | The text has been revised as proposed.                                                                                                                                                                                                                                                                                         |                                                                                                                                              |
| comment  | 835                                                                                                                                                                                                                                                                                                                            | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i>                                                                    |
|          | Gates and aircraft stands do not necessarily match. Remote aircraft stands may, for example, be allocated independently from gates. Delete (i).                                                                                                                                                                                |                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                |                                                                                                                                              |
|          | Point (i) has been deleted.                                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
| comment  | 858                                                                                                                                                                                                                                                                                                                            | comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i> |
|          | paragraph (d):<br>"gate selection" should be changed to "stand selection" as the term "gate" is more commonly used to describe the part of the terminal building that passengers wait in or that passengers use to embark the aircraft. As the heading is "Aircraft stand allocation" another option might be to delete (d.2). |                                                                                                                                              |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>paragraph (i):<br/>the explanation for (i) should also include the possibility of remote aircraft parking positions that are not located at the terminal. Alternatively the explanation for (i) could be deleted.</p>                                                                                                                                                                                                                   |
| response | <p><i>Accepted</i></p> <p>In point (d)(2), the word 'gate' has been replaced by the word 'stand' and point (i) has been deleted.</p>                                                                                                                                                                                                                                                                                                       |
| comment  | <p>909 ❖ <span style="float: right;">comment by: HIA - Highlands and Islands Airports Limited</span></p> <p>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.</p>                                                                                                                                 |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>976 <span style="float: right;">comment by: Federal Office of Civil Aviation FOCA</span></p> <p>GM1 ADR.OPS.D.050(a) (d): Aircraft stand allocation / wingspan:<br/>The Article shall be complemented as follows:<br/>(...)<br/>(3) clearance at the aircraft stand.<br/>Justification: The wingspan is one of the most important criteria for stand allocation and is especially relevant for the clearance at the aircraft stand.</p> |
| response | <p><i>Accepted</i></p> <p>The text has been amended as proposed</p>                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>1043 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span></p> <p>The wingspan has no direct influence on the allocation of gates</p>                                                                                                                                                                                                                                                                                 |
| response | <p><i>Accepted</i></p> <p>The word 'gate' has been replaced by 'stand'.</p>                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>1045 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span></p> <p>Gates and aircraft stands do not necessarily match. Remote aircraft stands may, for example, be allocated independently from gates. Delete (i).</p>                                                                                                                                                                                                 |
| response | <p><i>Accepted</i></p> <p>Point (i) has been deleted.</p>                                                                                                                                                                                                                                                                                                                                                                                  |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                      |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 26                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Aena Aeropuertos, S.A.</i>            |
|          | <p>Aircrafts can operate with APU out of service. In this situation, the connection /disconnection of the GPU/pneumatic equipment must be done with engines running. Furthermore, the requirement of companies to connect / disconnect the GPU with engines running is widely widespread. Aeronautical Authority must determine if this procedure is suitable.</p> <p>The AMC1 must consider this different possibilities and, if appropriate, include the conditions to make operations with running engines.</p> |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                      |
|          | <p>The text has been revised to exclude persons required for the operation of aircraft. This requirement comes from a Safety Recommendation.</p>                                                                                                                                                                                                                                                                                                                                                                   |                                                      |
| comment  | 77                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>Flughafen Berlin Brandenburg GmbH</i> |
|          | <p>This requirement is too strict and may cause practicable problems for ground handling staff and servicing of aircraft.</p> <p>Amend wording to "The provider of apron management services should ensure that only qualified personnel approach the aircraft before the anti-collision lights are turned off and the engines are switched off."</p>                                                                                                                                                              |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                      |
|          | <p>The text has been revised to exclude persons required for the operation of aircraft. This requirement comes from a Safety Recommendation.</p>                                                                                                                                                                                                                                                                                                                                                                   |                                                      |
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | comment by: <i>ADV - German Airports Association</i> |
|          | <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p>              |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                      |
|          | <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                                 |                                                      |
| comment  | 141                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | comment by: <i>ADV - German Airports Association</i> |
|          | <p>(c) This requirement is too strict and may cause practicable problems for ground handling personnel and servicing of aircraft. Amend wording to "The provider of apron management services should ensure that only qualified personnel approach the aircraft before the anti-collision lights are turned off and the engines are switched off."</p>                                                                                                                                                             |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                      |
|          | <p>The text has been revised to exclude persons required for the operation of aircraft. This</p>                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                      |



requirement comes from a Safety Recommendation.

comment 193

comment by: *Union des Aéroports français - UAF*

Attachment [#152](#)

Please find attached Union des Aéroports Français (UAF) comments

#### Objet

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

#### Références

ADR.OR.D.018 Training and proficiency check programs - providers of apron management services

o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs

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

ADR.OPS.D.001 Provision of services

o GM1 ADR.OPS.D.001 Provision of services

ADR.OPS.D.005 Functions of a provider of apron management services

ADR.OPS.D.060 Aircraft parking

o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

#### Commentaires

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ARD.OPS.D001 et la GM1.ARD.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of



services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aéroports de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the



regulation In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the is performance by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while l'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safetyrequires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

"The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another



entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

comment 217 comment by: *Swedavia AB - Swedish airports*

c) This requirement is too strict and may cause practicable problems for ground handling personnel and servicing of aircraft.

Proposed new text:

"The provider of apron management services should ensure that only qualified personnel approach the aircraft, before the anti-collision lights are turned off and the engines are switched off."

response *Accepted*

The ext has been revised to exclude persons required for the operation of aircraft. This requirement comes from a Safety Recommendation

comment 255 comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre*

❖

Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.

response *Noted*

comment 343 comment by: *Avinor*

This requirement is too strict and may cause practicable problems for ground handling personnel and servicing of aircraft. Amend wording to "The provider of apron management services should ensure that only qualified personnel approach the aircraft before the anti-collision lights are turned off and the engines are switched off."

response *Accepted*

The text has been revised to exclude persons required for the operation of aircraft. This requirement comes from a Safety Recommendation.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| comment  | <p>372</p> <p><b>AMC1 ADR.OPS.D.060(a) Aircraft parking</b><br/>MONITORING OF AIRCRAFT STAND — VISUAL</p> <p>(a) The aerodrome operator should ensure that during arrival of an aircraft to a stand, the aircraft is monitored either by assigned personnel on the stand or through cameras in order to verify that clearance distances are maintained.</p> <p>(b) The aerodrome operator should ensure that when the recommended clearance distances are not maintained, warning is given to stop the aircraft movement and/or to provide further assistance.</p> <p>(c) The aerodrome operator should ensure that no person approaches the aircraft, unless anti-collision lights are turned off and engines are switched off.</p> <p><a href="#">Commentaire : De la responsabilité des assistants en escale et de chaque entreprise évoluant sur l'aire de trafic. Pourquoi cet article ne figure-t-il pas dans la réglementation applicable aux assistants ?</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>Aéroports De Lyon</i>                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                |
| comment  | <p>452</p> <p>(c): This requirement is too strict and may cause practicable problems for ground handling personnel and servicing of aircraft. Amend wording to "The provider of apron management services should ensure that only qualified personnel approach the aircraft before the anti-collision lights are turned off and the engines are switched off."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>ACI EUROPE (Airports Council International)</i> |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                |
|          | <p>The text has been revised to exclude persons required for the operation of aircraft. This requirement comes from a Safety Recommendation</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                |
| comment  | <p>499 ❖</p> <p><b>ADR.OPS.D.060 Aircraft parking</b><br/><b>Level 1 - Fundamental comment</b></p> <p>The wording of ADR.OPS.D.060 and its associated AMCs (with the verb “ensure”) is ambiguous, as it suggests that the aerodrome operator is in charge of monitoring every parking manoeuvre, which is not realistic nor advisable. Marshalling, use of visual docking systems (which are indeed provided by the aerodrome operator), monitoring of clearance distances <u>are achieved by the airline or its ground handler</u>. The airline or ground handler shall take into account operating instructions which have been established upstream by the aerodrome operator. These instructions may relate to aircraft docking procedures (including how to use the visual systems, or in which cases marshalling is mandatory), push back schemes, etc. The aerodrome operator should make random inspections to verify that these rules are implemented by airlines or ground handlers, however this doesn't imply a systematic monitoring by the aerodrome operator.</p> <p>It is therefore proposed to modify ADR.OPS.D.060 and its associated AMCs as follows, and to introduce a GM indicating that the airline or its ground handler is in charge of achieving the parking manoeuvre, in accordance with the rules established by the aerodrome operator.</p> <p><b>ADR.OPS.D.060 Aircraft parking</b><br/>The aerodrome operator shall establish rules on <del>ensure that:</del></p> | comment by: <i>DGAC France</i>                                 |



- (a) ~~an area designated for aircraft parking on an apron is monitored to ensure that the monitoring of clearance distances are maintained during the parking manoeuvre;~~  
 (b) ~~the provision of guidance is provided to enable the aircraft to safely park; and~~  
 (c) ~~the monitoring, on an area designated for aircraft parking on an apron, is clear of any Foreign Object Debris (FOD) that may have an impact on safety.~~

**GM1 ADR.OPS.D.060 Aircraft parking**

The parking operation is achieved by airline personnel or its ground handler's. However, the assigned personnel should comply with the operating rules established by the aerodrome operator on the apron.

**AMC1 ADR.OPS.D.060(a) Aircraft parking**

MONITORING OF AIRCRAFT STAND — VISUAL

The aerodrome operator shall establish rules on :

- (a) ~~The aerodrome operator should ensure that the monitoring of aircraft, during its arrival of an aircraft to a stand, the aircraft is monitored either by assigned personnel on the stand or through cameras in order to verify that clearance distances are maintained.~~  
 (b) ~~The aerodrome operator should ensure that when the recommended clearance distances are not maintained, warning is given to stop the aircraft movement and/or to provide further assistance, when the recommended clearance distances are not maintained.~~  
 (c) ~~The aerodrome operator should ensure that no person approaches approaching the aircraft, unless anti-collision lights are turned off and engines are switched off.~~

**AMC1 ADR.OPS.D.060(b) Aircraft parking**

AIRCRAFT GUIDANCE DURING PARKING MANOEUVRE

The aerodrome operator should establish rules on availability and terms of use of ensure that suitable parking aids, such as:

- (a) a visual or an advanced visual docking guidance system; or  
 (b) (a) marshaller(s); or  
 (c) a self-guidance system;  
 are available and operational.

**AMC2 ADR.OPS.D.060(b) Aircraft parking**

OPERATION OF VISUAL AND ADVANCED VISUAL DOCKING GUIDANCE SYSTEM

The aerodrome operator should establish rules ensure that:

- (a) requiring that the docking guidance system is only activated when the stand is considered safe for use by the arriving aircraft and the involved personnel in charge of parking operations ;  
 (b) requiring that the docking guidance system is activated prior to aircraft arrival on the stand;  
 (c) the docking guidance system is set to the type of aircraft intended to use the stand; and  
 (d) (c) mentioning emergency procedures are in place to inform the flight crew when parking procedure has to be discontinued.

The aerodrome operator should ensure that the docking guidance system is set to the type of aircraft intended to use the stand.

**AMC3 ADR.OPS.D.060(b) Aircraft parking**

MARSHALLING SERVICE

The aerodrome operator should establish rules :

- (a) ~~The aerodrome operator should ensure that~~ requiring that a marshalling service is provided where visual or advanced visual docking guidance systems and self-guidance systems do not exist or are unserviceable, or where guidance to aircraft parking is required to avoid a safety hazard;  
 (b) ~~The aerodrome operator should ensure that, and,~~ where marshalling service is provided,



~~comprehensive instructions are written for marshallers including:~~  
 (1) ~~the need to ensure~~ requiring that prior to using the authorised signals, the marshaller should ascertain that the area within which the aircraft will be guided, is clear of obstacles which the aircraft, in complying with his signals, might otherwise strike;  
 (2) mentioning the circumstances in which (a) marshaller(s) may be used and the occasions when wing walkers are necessary; and  
 (3) mentioning the action to be taken in the event of an emergency or incident involving an aircraft and/or vehicle during marshalling;

response *Accepted*

Concerning AMC1, the proposal has been accepted.

comment 568

comment by: *Finavia*

Comment: Aerodrome operator can't be responsible for (b) and (c) if the service is provided by other service provider.  
 Proposed action: New text: "(b) The provider of apron management services should ensure that when the recommended clearance distances are not maintained, warning is given to stop the aircraft movement."  
 "(c) The provider of apron management services should ensure that only qualified personnel approach the aircraft, before the anti-collision lights are turned off and the engines are switched off."

response *Accepted*

It is acknowledged that the parking of aircraft is normally monitored by ground handling or airline staff, so the responsibility of the aerodrome operator is to establish the procedures.

comment 606

comment by: *Belgian CAA*

(a) is not realistic, it goes further than the requirement in the IR.

response *Noted*

comment 719

comment by: *Pau Pyrénées Airport - PUF/LFBP*

Attachment [#153](#)

### **Articulation entre gestion d'aire de trafic et réglementation en matière d'assistance en escale**

#### Objet

Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.

#### Références

┆ ADR.OPS.D.060 Aircraft parking

┆ ADR.OPS.D.085 Training

┆ ADR.OPS.D.065(a) Aircraft departure

o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)

┆ Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de



l'assistance en escale dans les aéroports de la Communauté

Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )

Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b)) S'assurer que des procédures de départ des avions sont établies et mises en œuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

Courtesy translation

Links between apron management services and regulations concerning ground handling

Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <ul style="list-style-type: none"> <li>- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))</li> <li>- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )</li> <li>- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))</li> <li>- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))</li> </ul> |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| comment | <p>732 <span style="float: right;">comment by: Pau Pyrénées Airport - PUF/LFBP</span></p> <p>Attachment <a href="#">#154</a></p> <p style="text-align: center;"><b>Répartition des missions, responsabilités et principe de sécurité juridique</b></p> <p>Objet<br/>Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OR.D.018 Training and proficiency check programs - providers of apron management services       <ul style="list-style-type: none"> <li>o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs</li> </ul> </li> <li><input type="checkbox"/> ADR.OR.D.032 Safety reporting system - providers of apron management services</li> <li><input type="checkbox"/> ADR.OPS.D.001 Provision of services       <ul style="list-style-type: none"> <li>o GM1 ADR.OPS.D.001 Provision of services</li> <li><input type="checkbox"/> ADR.OPS.D.005 Functions of a provider of apron management services</li> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking           <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE</li> </ul> </li> </ul> </li> </ul> <p>Commentaires</p> <p>Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.</p> <p>Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.</p> <p>Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".</p> <p>L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".</p> |
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Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ARD.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aéroports de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).

Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.  
par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.



Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ARD.OPS.D001 and the GM1. ARD.OPS.D.001 specifies that even if the is performance by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while l'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, ".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safetyrequires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

"The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the



aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity”.

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Replace :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

by

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

response *Noted*

comment **836** comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

This requirement is too strict and may cause practicable problems for ground handling personnel and servicing of aircraft. Amend wording to "The provider of apron management services should ensure that only qualified personnel approach the aircraft before the anti-collision lights are turned off and the engines are switched off."

response *Accepted*

The text has been revised to exclude persons required for the operation of aircraft. This requirement comes from a Safety Recommendation.

comment **909** ❖ comment by: *HIA - Highlands and Islands Airports Limited*

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response *Noted*

comment **1046** comment by: *Turin Airport - TRN/LIMF*

This requirement is too strict and may cause practicable problems for ground handling personnel and servicing of aircraft. Amend wording to "The provider of apron management services should ensure that only qualified personnel approach the aircraft before the anti-collision lights are turned off and the engines are switched off."



response *Accepted*

The text has been revised to exclude persons required for the operation of aircraft. This requirement comes from a Safety Recommendation.

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.060(b) Aircraft parking**

p. 67

comment 128 ❖

comment by: *ADV - German Airports Association*

Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 255 ❖

comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastructre*

Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.

response *Noted*

comment 499 ❖

comment by: *DGAC France*

**ADR.OPS.D.060 Aircraft parking**  
**Level 1 - Fundamental comment**

The wording of ADR.OPS.D.060 and its associated AMCs (with the verb "ensure") is ambiguous, as it suggests that the aerodrome operator is in charge of monitoring every parking manoeuvre, which is not realistic nor advisable. Marshalling, use of visual docking systems (which are indeed provided by the aerodrome operator), monitoring of clearance distances are achieved by the airline or its ground handler. The airline or ground handler shall take into account operating instructions which have been established upstream by the aerodrome operator. These instructions may relate to aircraft docking procedures (including how to use the visual systems, or in which cases marshalling is mandatory), push back schemes, etc. The aerodrome operator should make random inspections to verify that these rules are implemented by airlines or ground handlers, however this doesn't imply a systematic monitoring by the aerodrome operator.

It is therefore proposed to modify ADR.OPS.D.060 and its associated AMCs as follows, and to introduce a GM indicating that the airline or its ground handler is in charge of achieving the parking manoeuvre, in accordance with the rules established by the aerodrome operator.



**ADR.OPS.D.060 Aircraft parking**

The aerodrome operator shall ~~establish rules on~~ ensure that:

- ~~(a) an area designated for aircraft parking on an apron is monitored to ensure that the~~ monitoring of clearance distances ~~are maintained~~ during the parking manoeuvre;
- ~~(b) the provision of guidance is provided~~ to enable the aircraft to safely park; and
- ~~(c) the monitoring, on an area designated for aircraft parking on an apron, is clear of any~~ Foreign Object Debris (FOD) that may have an impact on safety.

**GM1 ADR.OPS.D.060 Aircraft parking**

The parking operation is achieved by airline personnel or its ground handler's. However, the assigned personnel should comply with the operating rules established by the aerodrome operator on the apron.

**AMC1 ADR.OPS.D.060(a) Aircraft parking**

## MONITORING OF AIRCRAFT STAND — VISUAL

The aerodrome operator shall ~~establish rules on~~ :

- ~~(a) The aerodrome operator should ensure that the~~ monitoring of aircraft, during ~~its~~ arrival of an aircraft to a stand, the aircraft is monitored either by assigned personnel on the stand or through cameras in order to verify that clearance distances are maintained.
- ~~(b) The aerodrome operator should ensure that when the recommended clearance distances are not maintained, warning is given to stop the aircraft movement and/or to provide further assistance, when the recommended clearance distances are not maintained.~~
- ~~(c) The aerodrome operator should ensure that no person~~ The prohibition of approaches ~~approaching~~ the aircraft, unless anti-collision lights are turned off and engines are switched off.

**AMC1 ADR.OPS.D.060(b) Aircraft parking**

## AIRCRAFT GUIDANCE DURING PARKING MANOEUVRE

The aerodrome operator should ~~establish rules on availability and terms of use of~~ ensure that suitable parking aids, such as:

- (a) a visual or an advanced visual docking guidance system; or
  - (b) (a) marshaller(s); or
  - (c) a self-guidance system;
- ~~are available and operational.~~

**AMC2 ADR.OPS.D.060(b) Aircraft parking**

## OPERATION OF VISUAL AND ADVANCED VISUAL DOCKING GUIDANCE SYSTEM

The aerodrome operator should ~~establish rules~~ ensure that:

- (a) requiring that the docking guidance system is only activated when the stand is considered safe for use by the arriving aircraft and the involved personnel ~~in charge of parking operations~~ ;
- (b) requiring that the docking guidance system is activated prior to aircraft arrival on the stand;
- ~~(c) the docking guidance system is set to the type of aircraft intended to use the stand; and~~
- ~~(d) (c) mentioning~~ emergency procedures ~~are in place~~ to inform the flight crew when parking procedure has to be discontinued.

The aerodrome operator should ensure that the docking guidance system is set to the type of aircraft intended to use the stand.

**AMC3 ADR.OPS.D.060(b) Aircraft parking**

## MARSHALLING SERVICE

The aerodrome operator should establish rules :

- ~~(a) The aerodrome operator should ensure that~~ requiring that a marshalling service is provided where visual or advanced visual docking guidance systems and self-guidance systems do not exist or are unserviceable, or where guidance to aircraft parking is required



to avoid a safety hazard;  
 (b) ~~The aerodrome operator should ensure that, and,~~ where marshalling service is provided, comprehensive instructions are written for marshallers including:  
 (1) ~~the need to ensure~~ requiring that prior to using the authorised signals, the marshaller should ascertain that the area within which the aircraft will be guided, is clear of obstacles which the aircraft, in complying with his signals, might otherwise strike;  
 (2) mentioning the circumstances in which (a) marshaller(s) may be used and the occasions when wing walkers are necessary; and  
 (3) mentioning the action to be taken in the event of an emergency or incident involving an aircraft and/or vehicle during marshalling;

response *Accepted*

Concerning AMC1 ADR.OPS.D.060(b) (new number AMC1 ADR.OPS.D.055(b)), the comment has been accepted and text revised.

comment 605

comment by: *Belgian CAA*

Unclear what is a self-guidance system?

response *Noted*

comment 909 ❖

comment by: *HIA - Highlands and Islands Airports Limited*

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response *Noted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC2 ADR.OPS.D.060(b) Aircraft parking** p. 67-68

comment 128 ❖

comment by: *ADV - German Airports Association*

Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 255

comment by: *Bundesministerium für Verkehr und digitale Infrastruktur/ German*



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p style="text-align: right;"><i>Federal Ministry of Transport and Digital Infrastructre</i></p> <p>Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | <p>499 ❖ <span style="float: right;">comment by: DGAC France</span></p> <p><b>ADR.OPS.D.060 Aircraft parking</b><br/> <b>Level 1 - Fundamental comment</b></p> <p>The wording of ADR.OPS.D.060 and its associated AMCs (with the verb “ensure”) is ambiguous, as it suggests that the aerodrome operator is in charge of monitoring every parking manoeuvre, which is not realistic nor advisable. Marshalling, use of visual docking systems (which are indeed provided by the aerodrome operator), monitoring of clearance distances <u>are achieved by the airline or its ground handler</u>. The airline or ground handler shall take into account operating instructions which have been established upstream by the aerodrome operator. These instructions may relate to aircraft docking procedures (including how to use the visual systems, or in which cases marshalling is mandatory), push back schemes, etc. The aerodrome operator should make random inspections to verify that these rules are implemented by airlines or ground handlers, however this doesn't imply a systematic monitoring by the aerodrome operator.</p> <p>It is therefore proposed to modify ADR.OPS.D.060 and its associated AMCs as follows, and to introduce a GM indicating that the airline or its ground handler is in charge of achieving the parking manoeuvre, in accordance with the rules established by the aerodrome operator.</p> <p><b>ADR.OPS.D.060 Aircraft parking</b><br/> The aerodrome operator shall <u>establish rules on</u> <del>ensure that</del>:</p> <p>(a) <del>an area designated for aircraft parking on an apron is monitored to ensure that the</del> <u>monitoring of clearance distances are maintained</u> during the parking manoeuvre;<br/> (b) <del>the provision of guidance is provided to enable the aircraft to safely park; and</del><br/> (c) <del>the monitoring, on an area designated for aircraft parking on an apron, is clear of any Foreign Object Debris (FOD) that may have an impact on safety.</del></p> <p><b>GM1 ADR.OPS.D.060 Aircraft parking</b><br/> The parking operation is achieved by airline personnel or its ground handler's. However, the assigned personnel should comply with the operating rules established by the aerodrome operator on the apron.</p> <p><b>AMC1 ADR.OPS.D.060(a) Aircraft parking</b><br/> MONITORING OF AIRCRAFT STAND — VISUAL<br/> The aerodrome operator shall <u>establish rules on</u> :</p> <p>(a) <del>The aerodrome operator should ensure that the monitoring of aircraft, during its arrival of an aircraft to a stand, the aircraft is monitored either by assigned personnel on the stand or through cameras in order to verify that clearance distances are maintained.</del><br/> (b) <del>The aerodrome operator should ensure that when the recommended clearance distances are not maintained, warning is given to stop the aircraft movement and/or to provide further assistance, when the recommended clearance distances are not maintained.</del><br/> (c) <del>The aerodrome operator should ensure that no person</del> <u>The prohibition of approaches approaching</u> the aircraft, unless anti-collision lights are turned off and engines are switched off.</p> <p><b>AMC1 ADR.OPS.D.060(b) Aircraft parking</b><br/> AIRCRAFT GUIDANCE DURING PARKING MANOEUVRE<br/> The aerodrome operator should <u>establish rules on availability and terms of use of</u> <del>ensure</del></p> |



~~that suitable~~ parking aids, such as:

- (a) a visual or an advanced visual docking guidance system; or
  - (b) (a) marshaller(s); or
  - (c) a self-guidance system;
- ~~are available and operational.~~

#### **AMC2 ADR.OPS.D.060(b) Aircraft parking**

##### OPERATION OF VISUAL AND ADVANCED VISUAL DOCKING GUIDANCE SYSTEM

The aerodrome operator should ~~establish rules~~ ~~ensure that:~~

- (a) ~~requiring that~~ the docking guidance system is only activated when the stand is considered safe for use by the arriving aircraft and the involved personnel ~~in charge of parking operations~~ ;
- (b) ~~requiring that~~ the docking guidance system is activated prior to aircraft arrival on the stand;
- ~~(c) the docking guidance system is set to the type of aircraft intended to use the stand; and~~
- ~~(d)~~ (c) ~~mentioning~~ emergency procedures ~~are in place~~ to inform the flight crew when parking procedure has to be discontinued.

The aerodrome operator should ensure that the docking guidance system is set to the type of aircraft intended to use the stand.

#### **AMC3 ADR.OPS.D.060(b) Aircraft parking**

##### MARSHALLING SERVICE

The aerodrome operator should establish rules :

- (a) ~~The aerodrome operator should ensure that~~ ~~requiring that~~ a marshalling service is provided where visual or advanced visual docking guidance systems and self-guidance systems do not exist or are unserviceable, or where guidance to aircraft parking is required to avoid a safety hazard;
- (b) ~~The aerodrome operator should ensure that,~~ ~~and,~~ where marshalling service is provided, ~~comprehensive instructions are written for marshallers including :~~
  - (1) ~~the need to ensure~~ ~~requiring that~~ prior to using the authorised signals, the marshaller should ascertain that the area within which the aircraft will be guided, is clear of obstacles which the aircraft, in complying with his signals, might otherwise strike;
  - (2) ~~mentioning~~ the circumstances in which (a) marshaller(s) may be used and the occasions when wing walkers are necessary; and
  - (3) ~~mentioning~~ the action to be taken in the event of an emergency or incident involving an aircraft and/or vehicle during marshalling;

response *Accepted*

Concerning AMC2 ADR.OPS.D.060(b) (new number AMC2 ADR.OPS.D.055(b)), the comment has been accepted and text revised.

comment 569

comment by: *Finavia*

Comment: (a) This requirement is too strict. The aerodrome operator shall have a procedure for FOD-checking.  
Proposed action: New text: "a) the docking guidance system is only activated when the stand is considered safe for use by the arriving aircraft."

response *Noted*

comment 909 ❖

comment by: *HIA - Highlands and Islands Airports Limited*



|          |                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |
| response | <i>Noted</i>                                                                                                                                                                               |

|                                                                                                                                                                                                                                 |       |
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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC3 ADR.OPS.D.060(b) Aircraft parking</b> | p. 68 |
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|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                      |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | comment by: <i>ADV - German Airports Association</i> |
|          | <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p> |                                                      |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                      |
|          | <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                    |                                                      |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                       |
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| comment | 186                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | comment by: <i>Union des Aéroports français - UAF</i> |
|         | <p>Attachment <a href="#">#155</a></p> <p>Please find attached Union des Aéroports Français (UAF) comments</p> <p>Objet<br/>Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking</li> <li><input type="checkbox"/> ADR.OPS.D.085 Training</li> <li><input type="checkbox"/> ADR.OPS.D.065(a) Aircraft departure</li> <li>o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)</li> <li><input type="checkbox"/> Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté</li> </ul> <p>Commentaires</p> <p>Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En</p> |                                                       |



application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c )  
Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

Courtesy translation

Links between apron management services and regulations concerning ground handling

Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers " service is provided (AMC3.ADR.OPS.D.060 (b))

- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )

- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))

- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

response *Noted*



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>255 <span style="float: right;">comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></span></p> <p>❖</p> <p>Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>374 <span style="float: right;">comment by: <i>Aéroports De Lyon</i></span></p> <p><b>AMC3 ADR.OPS.D.060(b) Aircraft parking</b><br/>MARSHALLING SERVICE</p> <p>(a) The aerodrome operator should ensure that a marshalling service is provided where visual or advanced visual docking guidance systems and self-guidance systems do not exist or are unserviceable, or where guidance to aircraft parking is required to avoid a safety hazard;</p> <p>(b) The aerodrome operator should ensure that, where marshalling service is provided, comprehensive instructions are written for marshallers including:</p> <p>(1) the need to ensure that prior to using the authorised signals, the marshaller should ascertain that the area within which the aircraft will be guided, is clear of obstacles which the aircraft, in complying with his signals, might otherwise strike;</p> <p>(2) the circumstances in which (a) marshaller(s) may be used and the occasions when wing walkers are necessary; and</p> <p>(3) the action to be taken in the event of an emergency or incident involving an aircraft and/or vehicle during marshalling;</p> <p><a href="#">Commentaire : Du ressort de l'assistant en escale, pourquoi cet article ne figure-t-il pas dans la réglementation applicable aux assistants ? (Cet article implique une responsabilité élevée de l'exploitant alors qu'en réalité, c'est à l'assistant que revient cette responsabilité : problématique en cas d'incident)</a></p>                                                                        |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| comment  | <p>499 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p>❖</p> <p><b>ADR.OPS.D.060 Aircraft parking</b><br/><b>Level 1 - Fundamental comment</b></p> <p>The wording of ADR.OPS.D.060 and its associated AMCs (with the verb “ensure”) is ambiguous, as it suggests that the aerodrome operator is in charge of monitoring every parking manoeuvre, which is not realistic nor advisable. Marshalling, use of visual docking systems (which are indeed provided by the aerodrome operator), monitoring of clearance distances <u>are achieved by the airline or its ground handler</u>. The airline or ground handler shall take into account operating instructions which have been established upstream by the aerodrome operator. These instructions may relate to aircraft docking procedures (including how to use the visual systems, or in which cases marshalling is mandatory), push back schemes, etc. The aerodrome operator should make random inspections to verify that these rules are implemented by airlines or ground handlers, however this doesn't imply a systematic monitoring by the aerodrome operator.</p> <p>It is therefore proposed to modify ADR.OPS.D.060 and its associated AMCs as follows, and to introduce a GM indicating that the airline or its ground handler is in charge of achieving the parking manoeuvre, in accordance with the rules established by the aerodrome operator.</p> <p><b>ADR.OPS.D.060 Aircraft parking</b><br/>The aerodrome operator shall <u>establish rules on</u> <del>ensure that</del>:</p> |



- (a) an area designated for aircraft parking on an apron is monitored to ensure that the monitoring of clearance distances are maintained during the parking manoeuvre;
- (b) the provision of guidance is provided to enable the aircraft to safely park; and
- (c) the monitoring, on an area designated for aircraft parking on an apron, is clear of any Foreign Object Debris (FOD) that may have an impact on safety.

#### **GM1 ADR.OPS.D.060 Aircraft parking**

The parking operation is achieved by airline personnel or its ground handler's. However, the assigned personnel should comply with the operating rules established by the aerodrome operator on the apron.

#### **AMC1 ADR.OPS.D.060(a) Aircraft parking**

##### MONITORING OF AIRCRAFT STAND — VISUAL

The aerodrome operator shall establish rules on :

- (a) The aerodrome operator should ensure that the monitoring of aircraft, during its arrival of an aircraft to a stand, the aircraft is monitored either by assigned personnel on the stand or through cameras in order to verify that clearance distances are maintained.
- (b) The aerodrome operator should ensure that when the recommended clearance distances are not maintained, warning is given to stop the aircraft movement and/or to provide further assistance, when the recommended clearance distances are not maintained.
- (c) The aerodrome operator should ensure that no person The prohibition of approaches approaching the aircraft, unless anti-collision lights are turned off and engines are switched off.

#### **AMC1 ADR.OPS.D.060(b) Aircraft parking**

##### AIRCRAFT GUIDANCE DURING PARKING MANOEUVRE

The aerodrome operator should establish rules on availability and terms of use of ensure that suitable parking aids, such as:

- (a) a visual or an advanced visual docking guidance system; or
- (b) (a) marshaller(s); or
- (c) a self-guidance system;
- are available and operational.

#### **AMC2 ADR.OPS.D.060(b) Aircraft parking**

##### OPERATION OF VISUAL AND ADVANCED VISUAL DOCKING GUIDANCE SYSTEM

The aerodrome operator should establish rules ensure that:

- (a) requiring that the docking guidance system is only activated when the stand is considered safe for use by the arriving aircraft and the involved personnel in charge of parking operations ;
- (b) requiring that the docking guidance system is activated prior to aircraft arrival on the stand;
- (c) the docking guidance system is set to the type of aircraft intended to use the stand; and
- (d) (c) mentioning emergency procedures are in place to inform the flight crew when parking procedure has to be discontinued.

The aerodrome operator should ensure that the docking guidance system is set to the type of aircraft intended to use the stand.

#### **AMC3 ADR.OPS.D.060(b) Aircraft parking**

##### MARSHALLING SERVICE

The aerodrome operator should establish rules :

- (a) The aerodrome operator should ensure that requiring that a marshalling service is provided where visual or advanced visual docking guidance systems and self-guidance systems do not exist or are unserviceable, or where guidance to aircraft parking is required to avoid a safety hazard;
- (b) The aerodrome operator should ensure that, and, where marshalling service is provided,



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p><del>comprehensive instructions are written for marshallers including:</del></p> <p>(1) <del>the need to ensure</del> requiring that prior to using the authorised signals, the marshaller should ascertain that the area within which the aircraft will be guided, is clear of obstacles which the aircraft, in complying with his signals, might otherwise strike;</p> <p>(2) mentioning the circumstances in which (a) marshaller(s) may be used and the occasions when wing walkers are necessary; and</p> <p>(3) mentioning the action to be taken in the event of an emergency or incident involving an aircraft and/or vehicle during marshalling;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| response | <p><i>Accepted</i></p> <p>Concerning AMC3 ADR.OPS.D.060(b) (new number AMC3 ADR.OPS.D.055(b)), the comment has been accepted and the text has been drafted slightly different from the proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | <p>607 <span style="float: right;">comment by: <i>Belgian CAA</i></span></p> <p>(a) Unclear what is a self-guidance system?<br/> (b)(2) Unclear when wing walkers are necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | <p>720 <span style="float: right;">comment by: <i>Pau Pyrénées Airport - PUF/LFBP</i></span></p> <p>Attachment <a href="#">#156</a></p> <p style="text-align: center;"><b>Articulation entre gestion d'aire de trafic et réglementation en matière d'assistance en escale</b></p> <p>Objet<br/> Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.</p> <p>Références</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ADR.OPS.D.060 Aircraft parking</li> <li><input type="checkbox"/> ADR.OPS.D.085 Training</li> <li><input type="checkbox"/> ADR.OPS.D.065(a) Aircraft departure <ul style="list-style-type: none"> <li>o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS</li> <li>o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)</li> </ul> </li> <li><input type="checkbox"/> Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté</li> </ul> <p>Commentaires</p> <p>Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.</p> |



Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )

Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

Courtesy translation

Links between apron management services and regulations concerning ground handling

Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c)in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))

- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c) )

- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))

- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

response *Noted*

comment 733

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#157](#)

**Répartition des missions, responsabilités et principe de sécurité juridique**



**Objet**

Les rôles et obligations de chacun sur l'aire de trafic apparaissent fréquemment de manière contradictoire dans le règlement. Ce flou contrevient au principe de sécurité juridique.

**Références**

- ADR.OR.D.018 Training and proficiency check programs - providers of apron management services
  - o AMC1 ADR.OR.D.018 (a)(b) Training and proficiency check programs
- ADR.OR.D.032 Safety reporting system - providers of apron management services
- ADR.OPS.D.001 Provision of services
  - o GM1 ADR.OPS.D.001 Provision of services
- ADR.OPS.D.005 Functions of a provider of apron management services
- ADR.OPS.D.060 Aircraft parking
  - o AMC1 ADR.OPS.D.060(a) Aircraft parking MONITORING OF AIRCRAFT STAND — VISUAL
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE

**Commentaires**

Les rôles et obligations de chacun apparaissent fréquemment de manière contradictoire dans le règlement. En particulier, l'ADR.OPS.D.001 et la GM1.ADR.OPS.D.001 précisent que même si la prestation est assurée par un tiers l'exploitant d'aérodrome reste "pilote" et l'exploitant d'aérodrome doit s'assurer que la prestation est conforme ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") alors que l'ADR.OR.C.010. (provider of apron management services responsibilities) confie la sécurité sur les aires au prestataire de service de gestion d'aire de trafic.

Par ailleurs certaines missions sont confiées à deux entités sans que les limites des missions de chacun soient clairement établies.

Ex : ADR.OR.D.032 Safety reporting system - providers of apron management services oblige le prestataire de service de gestion d'aire de trafic à mettre en place un système de notification des problèmes de sécurité alors que l'exploitant d'aérodrome doit, en application de l'ADR.OR.D.030 établir et mettre en oeuvre "un système de notification de sécurité utilisé par tout le personnel et les organisations exploitant ou fournissant des services à l'aérodrome".

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) prévoit que le prestataire de service de gestion d'aire de trafic établit et met en oeuvre un programme de formation pour le personnel impliqué dans le service de gestion d'aire de trafic, or, l'ADR.OR.D.017 prévoit que "L'exploitant d'aérodrome établit et met en oeuvre un programme de formation pour le personnel associé à l'exploitation, à l'entretien et à la gestion de l'aérodrome".

Par ailleurs, il sera très difficile à l'exploitant d'aérodrome de gérer de nombreuses entités sur les grands aéroports tels que les fournisseurs de services d'assistance en escale avec lesquels il n'a pas de relations directes, ceux-ci étant contractuellement liés aux transporteurs aériens.

Le GM1.ADR.OPS.D.001 pose la même difficulté que le GM ADR.OPS.B.001 (Provision of services) du règlement (CE) n°139/2014. C'est-à-dire la possibilité pour les aéroports de "décharger leur responsabilité" sur les tiers ne règle pas en réalité la question de responsabilité :

- juridiquement d'une part car il existe une confusion entre mission ("responsability") et responsabilité civile ou pénale ("liability") et parce qu'un GM n'a pas de valeur réglementaire ;
- opérationnellement d'autre part car ces "arrangements" n'existeront pas toujours (avec l'État notamment).



Les incertitudes ainsi créées contreviennent au principe de sécurité rappelé par la jurisprudence communautaire.

A titre d'exemple la Cour de justice et le tribunal de l'Union ont jugé que :

- "la législation communautaire doit être certaine et son application prévisible pour les justiciables" (CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;
- "le principe de sécurité juridique exige [...] que tout acte communautaire qui produit des effets juridiques soit clair, précis" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;
- "le caractère de certitude et de prévisibilité de la réglementation communautaire constitue un impératif qui s'impose avec une rigueur particulière lorsqu'il s'agit d'une réglementation susceptible de comporter des incidences financières" (13 mars 1990, Commission c/ France, C-30/89).

Propositions

ADR.OPS.D001 :

Nous vous suggérons de préciser le contenu de l'ADR.OPS.D001 (conformément à la GM1 ADR.OPS.D.001 connexes) comme suit:

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organisation or State entity, arrangements and interfaces with these organisations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS suppression de la phrase "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Remplacer :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

par

(3) other vehicles in accordance with local regulations.

AMC2.ADR.OPS.D.045 (c) Management of the apron safety

Remplacer :

(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.

par

(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules.

Courtesy translation

Responsibilities

Comments

The roles and the obligations of each appear frequently in a contradictory way in the regulation. In particular, the ADR.OPS.D001 and the GM1. ADR.OPS.D.001 specifies that even if the is performance by a third party the aerodrome operator stays "a pilot" and it shall ensure that the service is provided and compliant ("However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements") while l'ADR.OR. C.010. (provider of apron management services responsibilities) gives the responsibility to manage the safety to the apron management provider.

Besides, certain missions are entrusted to two entities without establish clearly the limits of



the missions of each party.

For example: ADR.OR.D.032 Safety reporting system - providers of apron management services oblige the apron management service to implement a system of safety issue notification while aerodrome operator in application of the ADR.OR.D.030 (a) "shall establish and implement " shall establish and implement a safety reporting system for all personnel and organizations operating or providing services at the aerodrome, "

L'ADR.OR.D.018 (Training and proficiency check programs - providers of apron management services) plan that the apron management service provider define and implement a training programme for staff involved in apron management, while ADR.OR.D.017 (a) plan "The aerodrome operator shall establish and implement a training programme for personnel involved in the operation, maintenance and management of the aerodrome".

Besides, it will be very difficult to aerodrome operator to manage numerous entities on big airport such as handler with which it has no direct relation; these have already arrangements to airline companies.

The GM1. ARD.OPS.D.001 highlight the same difficulty than GM ADR.OPS.B.001 (Provision of services) of the regulation (UE) n°139/2014. That is to say, the possibility for the aerodromes " to unload their responsibility " on third parties does not solve in reality the question of responsibility:

- Legally on one hand because exists a confusion between mission (" responsibility ") and civil or penal liability (" liability ") and because a GM has no regulation value;
- Operationally on the other hand because these "arrangements" will not still exist (with the State in particular).

The uncertainties so created, violate the principle of safety recall by the community jurisprudence.

For example, the Court of justice and the court of the Union judged that :

"The community legislation has to be certain and its predictable application for the citizens" CJUE, 15 déc. 1987, Irlande c/ Commission, 325/85) ;

"The principle of legal safetyrequires [...] that any community act which produces legal effects is clear, exact" (22 janv. 1997, Opel Austria c/ Conseil, T-115/94) ;

"The character of certainty and previsibility of the community regulations constitutes an imperative which is imperative with a particular rigor when it is about a regulations susceptible to contain financial incidences" (13 mars 1990, Commission c/ France, C-30/89).

Proposal

ADR.OPS.D001 :

We suggest to precise the content of ADR.OPS.D001 (in accordance with the related GM1 ADR.OPS.D.001) as follow :

"The services under Subpart D of this Annex shall be provided at the aerodrome by the aerodrome operator directly or indirectly. When these services are not directly provided by the aerodrome operator, but by another organization or State entity, arrangements and interfaces with these organizations or entities should be in place to ensure the provision of services according to the legal requirements. In this case, the aerodrome operator should not be understood to be directly responsible or liable for any non-compliances by another entity".

GM2 ADR.OPS.D.001 Provision of services APRON FUNCTIONS delete following sentence "However, the aerodrome operator is responsible to ensure that these functions are provided in accordance with the applicable requirements"

ADR.OPS.D.040 Right of way on the apron (b) (3)

Replace :

(3) other vehicles in accordance with the rules established by the aerodrome operator.

by



|          |                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | (3) other vehicles in accordance with local regulations.<br>AMC2.ADR.OPS.D.045 (c) Management of the apron safety<br>Replace :<br>(c) The aerodrome operator should establish and implement enforcement measures for violation of the established apron safety rules.<br>by<br>(c) The aerodrome operator should establish and implement procedures to deal with the deviations from the established rules. |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                |

|          |                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 909 ❖ <span style="float: right;">comment by: HIA - Highlands and Islands Airports Limited</span>                                                                                          |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |
| response | <i>Accepted</i>                                                                                                                                                                            |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.065(a) Aircraft departure**

p. 68

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 78 <span style="float: right;">comment by: Flughafen Berlin Brandenburg GmbH</span>                                                                                                                                                                                                                                                                                                                                               |
|          | The current text would require push-back vehicles to be removed. Add "under own power" to the first sentence and amend (a) to "any object has been removed that may fall short of the applicable safety distance(s).                                                                                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                   |
|          | The intent of the AMC is to ensure the unobstructed departure of the aircraft from the stand, irrespective if it is under own power or using push-back truck. However, it is accepted that the way point (a) is written may prohibit the presence of the push-back truck on the stand during the departure of the aircraft. Therefore, point (a) has been revised to exclude the presence of push-back truck when it is required. |

|          |                                                                                                                                                                                                                                                                                                               |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 79 <span style="float: right;">comment by: Flughafen Berlin Brandenburg GmbH</span>                                                                                                                                                                                                                           |
|          | The apron layout and stand layout may be such, that service traffic on all adjacent roads - and not only those rear/head of stands - are affected by the departing aircraft.<br>Amend (c) to<br>"....vehicle movement on the stand have ceased, including traffic on adjacent stand road(s), as appropriate." |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                               |
|          | The comment is accepted and point (c) has been revised as proposed.                                                                                                                                                                                                                                           |

|         |                                                                                        |
|---------|----------------------------------------------------------------------------------------|
| comment | 128 ❖ <span style="float: right;">comment by: ADV - German Airports Association</span> |
|---------|----------------------------------------------------------------------------------------|



Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 142

comment by: *ADV - German Airports Association*

(a) The current text would require push-back vehicles to be removed. Add "under own power" to the first sentence and amend (a) to "any object has been removed that may fall short of the applicable safety distance(s)"

response *Accepted*

The intent of the AMC is to ensure the unobstructed departure of the aircraft from the stand, irrespective if it is under own power or using push-back truck. However, it is accepted that the way point (a) is written may prohibit the presence of the push-back truck on the stand during the departure of the aircraft. Therefore, point (a) has been revised to exclude the presence of push-back truck when it is required.

comment 143

comment by: *ADV - German Airports Association*

(c) The apron layout and stand layout may be such, that service traffic on all adjacent roads - and not only those rear/head of stands - are affected by the departing aircraft. Amend (c) to "vehicle movements on the stand have ceased, including traffic on adjacent stand road(s), as appropriate."

response *Accepted*

Comment is accepted, and point (c) has been revised as proposed.

comment 185

comment by: *Union des Aéroports français - UAF*

Attachment [#158](#)

Please find attached Union des Aéroports Français (UAF) comments

Objet

Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.

Références

- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.085 Training
- ADR.OPS.D.065(a) Aircraft departure
  - o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND —



## OBSTRUCTIONS

o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)

Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté

Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )

Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

Courtesy translation

Links between apron management services and regulations concerning ground handling

Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c)in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.</p> <p>Example of functions which raise issues</p> <ul style="list-style-type: none"> <li>- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))</li> <li>- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )</li> <li>- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))</li> <li>- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))</li> </ul> |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>218 <span style="float: right;">comment by: <i>Swedavia AB - Swedish airports</i></span></p> <p>The current text would require push-back vehicles to be removed. Add "under own power" to the first sentence and amend (a) to "any object has been removed that may fall short of the applicable safety distance(s)".</p>                                                                                                                                                                                                                                                                                                                                     |
| response | <p><i>Accepted</i></p> <p>The intent of the AMC is to ensure the unobstructed departure of the aircraft from the stand, irrespective if it is under own power or using push-back truck. However, it is accepted that the way point (a) is written may prohibit the presence of the push-back truck on the stand during the departure of the aircraft. Therefore, point (a) has been revised to exclude the presence of push-back truck when it is required.</p>                                                                                                                                                                                                  |
| comment  | <p>219 <span style="float: right;">comment by: <i>Swedavia AB - Swedish airports</i></span></p> <p>The apron layout and stand layout may be such, that service traffic on all adjacent roads - and not only those rear/head of stands - are affected by the departing aircraft. Amend (c) to "vehicle movements on the stand have ceased, including traffic on adjacent stand road(s), as appropriate."</p>                                                                                                                                                                                                                                                      |
| response | <p><i>Accepted</i></p> <p>The comment is accepted, and point (c) has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| comment  | <p>255 <span style="float: right;">comment by: <i>Bundesministerium für Verkehr und digitale Infrastruktur/ German Federal Ministry of Transport and Digital Infrastrucutre</i></span></p> <p>❖</p> <p>Check that this provision is extended to also cover the AMSP as this is not necessarily the aerodrome operator.</p>                                                                                                                                                                                                                                                                                                                                       |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>345 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>The current text would require push-back vehicles to be removed. Add "under own power" to the first sentence and amend (a) to "any object has been removed that may fall short of the applicable safety distance(s)"</p>                                                                                                                                                                                                                                                                                                                                                              |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |



The intent of the AMC is to ensure the unobstructed departure of the aircraft from the stand, irrespective if it is under own power or using push-back truck. However, it is accepted that the way point (a) is written may prohibit the presence of the push-back truck on the stand during the departure of the aircraft. Therefore, point (a) has been revised to exclude the presence of push-back truck when it is required.

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| comment  | 380                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>Aéroports De Lyon</i>                           |
|          | <p><b>AMC1 ADR.OPS.D.065(a) Aircraft departure</b><br/> DEPARTURE FROM THE STAND — OBSTRUCTIONS<br/> The aerodrome operator should ensure that procedures are established and implemented, so that prior to the movement of the aircraft:<br/> (a) ground servicing equipment and vehicles have been removed from the stand or parked in designated areas;<br/> (b) the designated exit from the aircraft stand is free of FOD; and<br/> (c) vehicle movements on the stand have ceased, including traffic on the rear/head of stand road, as appropriate.<br/> <u>Commentaire</u> : Du ressort de l'assistant en escale, voire de la compagnie aérienne qui soustrait son assistance en escale. Pourquoi cet article ne figure-t-il pas dans la réglementation applicable aux compagnies aériennes ou aux assistants ? (Cet article implique une responsabilité élevée de l'exploitant alors qu'en réalité, c'est à l'assistant que revient cette responsabilité : problématique en cas d'incident)</p> |                                                                |
| response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                |
| comment  | 453                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | <p>The current text would require push-back vehicles to be removed. Add "under own power" to the first sentence and amend (a) to "any object has been removed that may fall short of the applicable safety distance(s)"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                |
| response | Accepted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                |
|          | <p>The intent of the AMC is to ensure the unobstructed departure of the aircraft from the stand, irrespective if it is under own power or using push-back truck. However, it is accepted that the way point (a) is written may prohibit the presence of the push-back truck on the stand during the departure of the aircraft. Therefore, point (a) has been revised to exclude the presence of push-back truck when it is required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                |
| comment  | 454                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>ACI EUROPE (Airports Council International)</i> |
|          | <p>The apron layout and stand layout may be such, that service traffic on all adjacent roads - and not only those rear/head of stands - are affected by the departing aircraft. Amend (c) to "vehicle movements on the stand have ceased, including traffic on adjacent stand road(s), as appropriate."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                |
| response | Accepted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                |
|          | <p>The comment is accepted, and point (c) has been revised as proposed</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                |
| comment  | 721                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | comment by: <i>Pau Pyrénées Airport - PUF/LFBP</i>             |



Attachment [#159](#)

### Articulation entre gestion d'aire de trafic et réglementation en matière d'assistance en escale

#### Objet

Les règles relatives au service de gestion d'aire de trafic entrent en conflit avec la réglementation en matière d'assistance en escale.

#### Références

- ADR.OPS.D.060 Aircraft parking
- ADR.OPS.D.085 Training
- ADR.OPS.D.065(a) Aircraft departure
  - o AMC1 ADR.OPS.D.065(a) Aircraft departure DEPARTURE FROM THE STAND — OBSTRUCTIONS
  - o AMC3 ADR.OPS.D.060(b) Aircraft parking MARSHALLING SERVICE)
- Directive 96/67/CE du Conseil du 15 octobre 1996 relative à l'accès au marché de l'assistance en escale dans les aéroports de la Communauté

#### Commentaires

Sur l'ensemble des nouvelles missions prévues certaines relèvent de l'assistance en escale (exécution du service de placement des aéronefs - ADR. OPS.D.060 / formation des personnels chargés du placement des avions -ADR.OPS.D.085) au sens de la directive 96/67/CE (relative à l'accès au marché de l'assistance en escale dans les aéroports de la communauté). Celle-ci qualifie de service d'assistance en escale les "opérations en piste" au nombre desquelles le guidage de l'avion à l'arrivée et au départ (annexe, § 5.1). En application de la directive et, en France de l'article R.216-14 - 2° du code de l'aviation civile, il appartient au prestataire d'assistance en escale de garantir l'exécution de ces prestations, dans toutes ses composantes (ex: la formation de ses personnels). Or, le projet de règlement confie à l'exploitant d'aérodrome la mission de s'assurer qu'un certain nombre de dispositions sont prises en matière de gestion d'aire de trafic.

Les règlements d'exécution tel que celui proposé par l'AESA devraient respecter l'ordonnancement juridique de l'Union européenne et ne peuvent modifier ou contrevenir à des dispositions de valeur juridique supérieure, ce qui est le cas pour une directive édictée par le Conseil.

Le projet de Règlement (référence interinstitutionnelle 2011/0397(COD)) visant à remplacer la Directive précitée réaffirme la responsabilité du prestataire d'assistance en escale par exemple s'agissant de la formation de son personnel (art. 34) en contradiction avec les dispositions de ADR.OPS.D.085 .

Exemples de fonctions qui posent problèmes :

Vérification d'absence de « FOD » sur les parkings avions (ADR.OPS.D.060 Aircraft parking c) )  
Surveillance des avions durant leur arrivée et que personne ne s'approche des avions (AMC1.ADR.OPS.D.060 (a))

S'assurer que le placement est correctement assuré (AMC3.ADR.OPS.D.060 (b))

S'assurer que des procédures de départ des avions sont établies et mises en oeuvre (AMC1.ADR.OPS.D.065 (a))

Formation des personnels ADR.OPS.D.085

#### Courtesy translation

Links between apron management services and regulations concerning ground handling

#### Comments

On all new missions planned with the apron management rules, some of them are ground handling activities (ie: ADR.OPS.D.060 Aircraft parking or ADR.OPS.D.085 Training (b) and (c)) in the sense of the Council Directive 96/67/UE of 15 October 1996 (on access to the



ground handling market at Community airports) This Directive calls ground handling all ramp services (see Annex, § 5) including guidance of the aircraft arrival and departure (see Annex, § 5.1). In application to the Directive and, in, France Article R.216-14 to 2 ° (French Civil Aviation Code), It is up to the handler to guarantee the execution of these services in all its components (ie: training of his staffs). But, the project of regulation gives to the aerodrome operator the mission to make sure that a number of measures are taken regarding management of the apron.

The implementing rules proposed by EASA should respect the legal order of the European Union and can not modify or break the provisions of higher legal value rule, which is the case for a Directive enacted by the Council.

The project of regulation (reference 2011/0397 (COD)) which replace the previous Directive maintains again handler responsibilities, for example for training (art 34) in contradiction with disposition of ADR.OPS.B.085.

Example of functions which raise issues

- " Marshallers" service is provided (AMC3.ADR.OPS.D.060 (b))
- Checking if the aircraft parking is clear of any Foreign Object Debris (FOD). (ADR.OPS.D.060 Aircraft parking c )
- Aircraft monitoring during arrival to a stand (AMC1.ADR.OPS.D.060 (a))
- Ensuring that procedures are established and implemented, so that prior to the movement of the aircraft (AMC1.ADR.OPS.D.065 (a))

response *Noted*

comment **837** comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

The current text would require push-back vehicles to be removed. Add "under own power" to the first sentence and amend (a) to "any object has been removed that may fall short of the applicable safety distance(s)"

response *Accepted*

The intent of the AMC is to ensure the unobstructed departure of the aircraft from the stand, irrespective if it is under own power or using push-back truck. However, it is accepted that the way point (a) is written may prohibit the presence of the push-back truck on the stand during the departure of the aircraft. Therefore, point (a) has been revised to exclude the presence of push-back truck when it is required.

comment **838** comment by: *Assaeroporti - Associazione Italiana Gestori Aeroporti*

The apron layout and stand layout may be such, that service traffic on all adjacent roads - and not only those rear/head of stands - are affected by the departing aircraft. Amend (c) to "vehicle movements on the stand have ceased, including traffic on adjacent stand road(s), as appropriate."

response *Accepted*

The comment is accepted, and point (c) has been revised as proposed

comment **866** comment by: *Vienna International Airport*

(c) would mean that also the push back truck is not allowed - please clarify.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <i>Accepted</i><br>The comment is accepted, and point (c) has been revised as proposed in order to exclude push-back trucks.                                                                                                                                                                                                                                                                                                                         |
| comment  | 909 ❖ <i>comment by: HIA - Highlands and Islands Airports Limited</i><br>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                                                                                                                                                                  |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| comment  | 934 <i>comment by: CAA Austria - Ministry of Transport</i><br>(c) Clarification is needed - push back truck?                                                                                                                                                                                                                                                                                                                                         |
| response | <i>Accepted</i><br>The comment is accepted, and point (c) has been revised as proposed in order to exclude push-back trucks                                                                                                                                                                                                                                                                                                                          |
| comment  | 1047 <i>comment by: Turin Airport - TRN/LIMF</i><br>The current text would require push-back vehicles to be removed.<br>Add "under own power" to the first sentence and amend (a) to "ny object has been removed that may fall short of the applicable safety distance(s)"                                                                                                                                                                           |
| response | <i>Accepted</i><br>The intent of the AMC is to ensure the unobstructed departure of the aircraft from the stand, irrespective if it is under own power or using push-back truck. However, it is accepted that the way point (a) is written may prohibit the presence of the push-back truck on the stand during the departure of the aircraft. Therefore, point (a) has been revised to exclude the presence of push-back truck when it is required. |
| comment  | 1048 <i>comment by: Turin Airport - TRN/LIMF</i><br>The apron layout and stand layout may be such, that service traffic on all adjacent roads - and not only those rear/head of stands - are affected by the departing aircraft. Amend (c) to "vehicle movements on the stand have ceased, including traffic on adjacent stand road(s), as appropriate."                                                                                             |
| response | <i>Accepted</i><br>The comment is accepted, and point (c) has been revised as proposed.                                                                                                                                                                                                                                                                                                                                                              |



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|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i>            |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                 |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                                                 |
| comment  | 347                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Avinor</i>                                       |
|          | The apron layout and stand layout may be such, that service traffic on all adjacent roads - and not only those rear/head of stands - are affected by the departing aircraft. Amend (c) to "vehicle movements on the stand have ceased, including traffic on adjacent stand road(s), as appropriate."                                                                                                                                                                                           |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                 |
|          | The comment is accepted, and point (c) has been revised as proposed.                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                 |
| comment  | 909 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>HIA - Highlands and Islands Airports Limited</i> |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.                                                                                                                                                                                                                                                                                                     |                                                                 |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                 |
| comment  | 978                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Federal Office of Civil Aviation FOCA</i>        |
|          | GM1 ADR.OPS.D.065(a): The term "parking site" shall be amended with "aircraft parking stand" or "aircraft stand". Justification: The term "parking site" is not used in any EASA regulation. Even in the proposed NPA 2013-24 the terms "aircraft parking stand" and "aircraft stand" are used several times. A third term describing the same should be avoided.                                                                                                                              |                                                                 |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                 |
|          | The comment has been accepted, and the term 'parking site' has been replaced by the term 'aircraft stand'.                                                                                                                                                                                                                                                                                                                                                                                     |                                                                 |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.070 Start-up clearances and taxi instructions**

p. 68

comment 128 ❖ comment by: *ADV - German Airports Association*



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|          | <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| response | <p><i>Accepted</i></p> <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| comment  | <p>302 <span style="float: right;">comment by: <i>European Transport Workers Federation - ETF</i></span></p> <p>Such an arrangement is needed even without an AMS unit between the ATS unit and the aerodrome operator.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| response | <p><i>Not accepted</i></p> <p>If there is not any provider of apron management services, then start-up clearances and taxi instructions are normally given by the air traffic services provider.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| comment  | <p>503 <span style="float: right;">comment by: <i>DGAC France</i></span></p> <p><b>ADR.OPS.D.070 Start-up clearances and taxi instructions</b><br/> <b>Level 1 - Fundamental comment</b><br/> See also general comment on Subpart D and ADR.OPS.D.001.<br/> ADR.OPS.D.070 and its AMC apply to the apron management unit when established. They should be in a new Subpart E dedicated to AMS provider.<br/> When no AMS unit is established, the start-up clearance is given by the ANSP, and the aerodrome operator doesn't "ensure" that the ANSP delivers the clearance properly.<br/> <del>ADR.OPS.D.070</del> <b>ADR.OPS.E.xx Start-up clearances and taxi instructions</b><br/> <del>The</del> <del>When an apron management services unit is established, the aerodrome operator shall ensure that appropriate coordination is established between the apron management services unit and</del> <del>coordinate with the</del> air traffic services unit for the delivery of start-up clearances and taxi instructions to the agreed handover point(s).<br/> <b>AMC1</b> <del>ADR.OPS.D.070</del> <b>ADR.OPS.E.xx Start-up clearances and taxi instructions</b><br/> <del>When an apron management services unit is established, t</del> The following arrangements should exist between the apron management services and the air traffic services in accordance with the written agreement as defined in <del>ADR.OPS.D.010</del> <b>ADR.OPS.E.020</b>:<br/> [...]</p> |
| response | <p><i>Accepted</i></p> <p>AMC1 ADR.OPS.D.070 has been moved to Subpart E as AMC1 ADR.OPS.E.025, and the text has been revised as proposed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>909 <span style="float: right;">comment by: <i>HIA - Highlands and Islands Airports Limited</i></span></p> <p>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | be referred out.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | <p>928 <span style="float: right;">comment by: <i>The Civil Aviation Authority</i></span></p> <p>Impose an obligation of reassurance that appropriate coordination is established between the apron management services unit and air traffic services unit for the delivery of start-up clearances and taxi instructions to the agreed handover point(s), can lead to misunderstanding and problems in fixing the division of responsibilities.</p> <p>With respect to Polish practice (where ATS maintains radio communication with flight crew to prevent collisions between aircraft and for the delivery of start-up clearances, push back clearances and taxi instructions – which is in line with ICAO Annex 11 and PANS-ATM), the best solution would be adding (in ADR.AR part) the possibility to determine in national law standard division of responsibilities between ATS and aerodrome operator. It would be possible to apply any other division of responsibilities in accordance with written agreements.</p> |
| response | <p><i>Noted</i></p> <p>The relevant AMC has been moved to Subpart E and is applicable when a provider of apron management services has been established. The division of responsibilities depends on local operational requirements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.075 Dissemination of information to operators** p. 68-69

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | <p>128 ❖ <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p> <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p> |
| response | <p><i>Accepted</i></p> <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>909 ❖ <span style="float: right;">comment by: <i>HIA - Highlands and Islands Airports Limited</i></span></p> <p>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.</p>                                                                                                                                                                                                                                                                                          |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM1 ADR.OPS.D.075 Dissemination of information to operators**

p. 69

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| comment  | 80                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>                      |
|          | Misspelling in fourth row. Replace "depends" with "depend".                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i>                      |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                                                           |
| comment  | 348                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Avinor</i>                                                 |
|          | Misspelling. Replace "depends" with "depend" in the fourth row.                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
| comment  | 455                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>ACI EUROPE (Airports Council International)</i>            |
|          | Misspelling. Replace "depends" with "depend" in the fourth row.                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
| comment  | 608                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Belgian CAA</i>                                            |
|          | This is unclear guidance material. Does it refer to AIP, AIC, NOTAM?                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                           |
|          | Please refer to the revised Implementing Rule.                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                           |
| comment  | 839                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | Misspelling. Replace "depends" with "depend" in the fourth row.                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |



|          |                                                                                                                                                                                            |                                                          |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| comment  | 909 ❖                                                                                                                                                                                      | comment by: HIA - Highlands and Islands Airports Limited |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |                                                          |
| response | Noted                                                                                                                                                                                      |                                                          |

|                                                                                                                                                                                                                                            |       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.080 Alerting of emergency services</b> | p. 69 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                               |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: ADV - German Airports Association |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                               |
| response | Accepted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                               |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                               |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                         |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| comment | 505 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | comment by: DGAC France |
|         | <b>ADR.OPS.D.080 Alerting of emergency services</b><br><b>Level 1 - Fundamental comment</b><br>Contrary to what is required by ADR.OPS.D.080, the aerodrome operator doesn't always have the responsibility for alerting the rescue services when required on the apron. It is true that the aerodrome operator has to provide adequate means of alert on the apron, however the whole alerting procedure is not under its responsibility.<br>At Charles-de-Gaulle airport, <u>the AMS provider, under the authority of ATS</u> , is responsible for alerting emergency services when required by an aircraft or a vehicle regulated on the apron. Besides, rescue services can also be directly alerted by third parties noticing an emergency. That's why the aerodrome operator is at least responsible for providing adequate means of alert on the apron (like telephones, emergency buttons, etc). In this case, the AMS provider is informed afterwards by the rescue services.<br>It should be noted that <u>the procedure for alerting rescue services when required on the apron is a specific part of the aerodrome emergency plan required by ADR.OPS.B.005</u> . In France, this procedure is defined in the State emergency plans specific to each airport (called "ORSEC" plans), under the authority of the préfet (local French State representative). The process involves aerodrome RFF services, as well as other services which may not be under the authority of the aerodrome operator (State entities, in particular).<br>It is therefore proposed to modify ADR.OPS.D.080 and its associated AMCs and GMs as follows :<br><a href="#">ADR.OPS.D.080 Alerting of emergency services</a> |                         |



The aerodrome operator shall ensure that :

(a) The aerodrome emergency plan required by ADR.OPS.B.005 contains a procedure to alert emergency services when required on the apron ; and

(b) appropriate means and facilities are available on the apron for alerting the relevant emergency services when required on the apron, in accordance with the procedure.

#### AMC1 ADR.OPS.D.080 Alerting of emergency services

##### GENERAL

The aerodrome operator should:

(a) establish and implement procedures to alert emergency services when required on the apron; and

(b) The procedure should make publicly available contact details for alerting the emergency services.

#### GM2 ADR.OPS.D.080 Alerting of emergency services

##### MEANS FOR ALERTING EMERGENCY SERVICES

The means that could be used for alerting the emergency services depends on the size and complexity of the aerodrome. The aerodrome operator should assess the local requirements should be assessed and establish the most appropriate means should be established. These could include:

- (a) radio;
- (b) telephones; and
- (c) emergency buttons.

response *Partially accepted*

The proposed AMC reinforces the requirement to establish and implement procedures to alert emergency services when required on the apron.

comment 909 ❖ comment by: HIA - Highlands and Islands Airports Limited

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response *Noted*

### 3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM1 ADR.OPS.D.080 Alerting of emergency services p. 69

comment 128 ❖ comment by: ADV - German Airports Association

Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D,



while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 909 ❖ comment by: HIA - Highlands and Islands Airports Limited

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response *Noted*

comment 1049 comment by: Turin Airport - TRN/LIMF

Misspelling. Replace "depends" with "depend" in the fourth row.

response *Accepted*

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM2 ADR.OPS.D.080 Alerting of emergency services**

p. 69

comment 128 ❖ comment by: ADV - German Airports Association

Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."

response *Accepted*

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment 505 ❖ comment by: DGAC France

**ADR.OPS.D.080 Alerting of emergency services**

**Level 1 - Fundamental comment**

Contrary to what is required by ADR.OPS.D.080, the aerodrome operator doesn't always have the responsibility for alerting the rescue services when required on the apron. It is true that the aerodrome operator has to provide adequate means of alert on the apron, however the whole alerting procedure is not under its responsibility.

At Charles-de-Gaulle airport, the AMS provider, under the authority of ATS, is responsible for alerting emergency services when required by an aircraft or a vehicle regulated on the apron. Besides, rescue services can also be directly alerted by third parties noticing an emergency. That's why the aerodrome operator is at least responsible for providing adequate means of alert on the apron (like telephones, emergency buttons, etc). In this case, the AMS provider is informed afterwards by the rescue services.



It should be noted that the procedure for alerting rescue services when required on the apron is a specific part of the aerodrome emergency plan required by ADR.OPS.B.005. In France, this procedure is defined in the State emergency plans specific to each airport (called "ORSEC" plans), under the authority of the préfet (local French State representative). The process involves aerodrome RFF services, as well as other services which may not be under the authority of the aerodrome operator (State entities, in particular). It is therefore proposed to modify ADR.OPS.D.080 and its associated AMCs and GMs as follows :

#### **ADR.OPS.D.080 Alerting of emergency services**

The aerodrome operator shall ensure that :

- (a) The aerodrome emergency plan required by ADR.OPS.B.005 contains a procedure to alert emergency services when required on the apron ; and
- (b) appropriate means and facilities are available on the apron for alerting the relevant emergency services when required on the apron, in accordance with the procedure.

#### **AMC1 ADR.OPS.D.080 Alerting of emergency services**

##### GENERAL

~~The aerodrome operator should:~~

- ~~(a) establish and implement procedures to alert emergency services when required on the apron; and~~
- ~~(b) The procedure should make publicly available contact details for alerting the emergency services.~~

#### **GM2 ADR.OPS.D.080 Alerting of emergency services**

##### MEANS FOR ALERTING EMERGENCY SERVICES

The means that could be used for alerting the emergency services depends on the size and complexity of the aerodrome. ~~The aerodrome operator should assess t~~ The local requirements should be assessed and ~~establish~~ the most appropriate means should be established. These could include:

- (a) radio;
- (b) telephones; and
- (c) emergency buttons.

response

*Accepted*

The proposal for GM2 has been accepted and the text has been revised accordingly.

comment

909 ❖

comment by: *HIA - Highlands and Islands Airports Limited*

A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.

response

*Noted*

### **3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC1 ADR.OPS.D.085(a) Training**

p. 70

comment

21

comment by: *Aena Aeropuertos, S.A.*

In some airports in Spain, the "marshalling" tasks are made by the Handling Agent.



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | <p>Furthermore, other functions included in the NPA as part of the apron management service are also made by the Handling Agent (monitoring clearances during parking, f.i.). Must the Handling Agent be certified by the State Authority to be allowed to do these tasks?</p> <p><i>Noted</i></p> <p>There is not any requirement for Ground Handling Agents to be certified by the State. The AMC focusses on the training requirements.</p>                                                                                                                                                             |
| comment  | <p>128 ❖ <span style="float: right;">comment by: <i>ADV - German Airports Association</i></span></p> <p>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...."</p> |
| response | <p><i>Accepted</i></p> <p>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.</p>                                                                                                                                                                                                                                                                                                                                                                  |
| comment  | <p>351 <span style="float: right;">comment by: <i>Avinor</i></span></p> <p>Incomplete reference. Add (d) to the reference. (c) only concerns instructors, (d) refers to assessors.</p>                                                                                                                                                                                                                                                                                                                                                                                                                     |
| response | <p><i>Accepted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| comment  | <p>888 <span style="float: right;">comment by: <i>AESA - Spanish CAA</i></span></p> <p>In ADR.OPS.D.085, there are several bullet points numbered (a), (b) and (c). The AMCs related to these numbers are not correctly referenced. They all refer to (a).</p>                                                                                                                                                                                                                                                                                                                                             |
| response | <p><i>Accepted</i></p> <p>The references have been corrected.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| comment  | <p>909 ❖ <span style="float: right;">comment by: <i>HIA - Highlands and Islands Airports Limited</i></span></p> <p>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out.</p>                                                                                                                                                                                                                                                                                          |
| response | <p><i>Noted</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| comment  | 81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | comment by: <i>Flughafen Berlin Brandenburg GmbH</i>                      |
|          | Incomplete reference. Add (d) to the reference. (c) only concerns instructors, (d) refers to assessors.                                                                                                                                                                                                                                                                                                                                                                                        |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
|          | The correct reference is AMC1 ADR.OR.D.017(d).                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                           |
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: <i>ADV - German Airports Association</i>                      |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                                                           |
| comment  | 144                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>ADV - German Airports Association</i>                      |
|          | Incomplete reference. Add (d) to the reference. (c) only concerns instructors, (d) refers to assessors.                                                                                                                                                                                                                                                                                                                                                                                        |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
|          | The correct reference is AMC2 ADR.OR.D.018(c).                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                           |
| comment  | 456                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>ACI EUROPE (Airports Council International)</i>            |
|          | Incomplete reference. Add (d) to the reference. (c) only concerns instructors, (d) refers to assessors.                                                                                                                                                                                                                                                                                                                                                                                        |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
|          | The correct reference is AMC2 ADR.OR.D.018(c).                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                           |
| comment  | 840                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | Incomplete reference. Add (d) to the reference. (c) only concerns instructors, (d) refers to assessors.                                                                                                                                                                                                                                                                                                                                                                                        |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |
|          | The correct reference is AMC2 ADR.OR.D.018(c).                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                           |
| comment  | 889                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: <i>AESA - Spanish CAA</i>                                     |



|          |                                                                                                                                                                                                                                                                                                 |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| response | In ADR.OPS.D.085, there are several bullet points numbered (a), (b) and (c). The AMCs related to these numbers are not correctly referenced. They all refer to (a).<br><i>Accepted</i><br>The references have been corrected.                                                                   |
| comment  | 909 ❖ <span style="float: right;">comment by: HIA - Highlands and Islands Airports Limited</span><br>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                    |
| comment  | 1050 <span style="float: right;">comment by: Turin Airport - TRN/LIMF</span><br>Incomplete reference. Add (d) to the reference. (c) only concerns instructors, (d) refers to assessors.                                                                                                         |
| response | <i>Accepted</i><br>The correct reference is AMC2 ADR.OR.D.018(c).                                                                                                                                                                                                                               |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC3 ADR.OPS.D.085(a) Training**

p. 70

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 128 ❖ <span style="float: right;">comment by: ADV - German Airports Association</span><br>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |
| response | <i>Accepted</i><br>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                                                                                           |
| comment  | 382 <span style="float: right;">comment by: Aéroports De Lyon</span><br><b>AMC3 ADR.OPS.D.085(a) Training</b><br>MARSHALLERS TRAINING<br>(a) The aerodrome operator should ensure that aircraft marshallers have successfully completed initial, on-the job-training, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome.<br><a href="#">Commentaire : Du ressort de l'assistant en escale, voire de la compagnie aérienne qui sous-</a>                                                                       |



traite son assistance en escale. L'exploitant n'a pas le pouvoir d'aller vérifier si le personnel est qualifié et formé chez une entreprise tiers. Pourquoi cet article ne figure-t-il pas dans la réglementation applicable aux compagnies aériennes ou aux assistants ? (Cet article implique une responsabilité élevée de l'exploitant alors qu'en réalité, c'est à l'assistant que revient cette responsabilité : problématique en cas d'incident)

response *Noted*

comment 506 ❖

comment by: DGAC France

#### **ADR.OPS.D.085 Responsibilities for training of personnel**

##### **Level 1 - Fundamental comment**

a) According to Council directive 96/67/EC of 15 October 1996 *on access to the groundhandling market at Community airports*, personnel providing marshalling service, leader van service or instructions through radio frequency are considered as ground handlers, unless the corresponding services are provided by the air traffic service (cf Annex, para 5 "ramp handling").

It means that the aerodrome operator has no power and no means to ensure the proper training of this personnel. ADR.OPS.D.085 should be a requirement applying to the entity providing the service : either the ground handler, or the ANSP in case the latter performs the service (as for example the apron control tower in CDG, which is a sub-entity of the French ANSP).

Note : according to Council directive 96/67/EC, Member States can require the obtention of an approval delivered by a public authority for ground handlers, based among other criteria on safety of equipment and persons. The training requirements introduced by ADR.OPS.D.085 could be a condition for the obtention of this approval.

b) Another question is to determine whether the services listed in ADR.OPS.D.085 are in the scope of "Apron management service" as defined by ICAO Annex 14. Since the NPA gives no definition of the means that can be used to provide AMS service, it is not clear whether these personnel are in the scope of AMS service (as a way to ensure the three AMS functions), or if they can operate even when no AMS unit is established.

The corresponding AMCs give the impression that marshalling and leader van service are as out of the scope of AMS unit, whereas instructions through R/T is specific to the provision of AMS. Indeed, AMC5, relating to personnel providing instructions to aircraft or vehicles on the apron through RTF, is the only AMC which has the words "AMS unit" in its subtitle. It is not the case for AMC3 and AMC4.

If this interpretation is confirmed, the provisions relating to leader vans or marshallers can remain in Subpart D, whereas provisions relating to personnel providing instructions through R/T, which apply to the AMS unit/provider, should be moved in Subpart E.

It is therefore proposed to modify ADR.OPS.D.085 and the corresponding AMCs as follows :

##### **ADR.OPS.D.085 Training**

~~The aerodrome operator and/or apron management services provider when established, shall ensure that~~

~~The employer of those persons providing:~~

~~(a) instructions to aircraft and/or vehicles on the apron through radio frequency;~~

~~(b) marshalling service; and~~

~~(c) leader van service;~~

~~shall ensure that they are appropriately trained and qualified.~~

##### **ADR.OPS.E.xx Training**

~~The apron management services provider shall ensure that those persons providing~~



instructions to aircraft and/or vehicles on the apron through radio frequency are appropriately trained and qualified.

#### AMC3 ADR.OPS.D.085(a) Training

##### MARSHALLERS TRAINING

(a) ~~The aerodrome operator should ensure that a~~ Aircraft marshallers **should** have successfully completed initial, on-the-job-training, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome.

[...]

(f) ~~The aerodrome operator should ensure that~~ marshallers are **should be** briefed or, if required, trained on new procedures or changes to existing procedures.

#### AMC4 ADR.OPS.D.085(a) Training

##### LEADER VAN DRIVERS' TRAINING

(a) ~~The aerodrome operator should ensure that~~ FOLLOW-ME vehicle drivers **should** have successfully completed initial, on-the-job-training, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome.

[...]

(f) ~~The aerodrome operator should ensure that~~ FOLLOW-ME vehicle drivers are **should be** briefed or, if required, trained on new procedures or changes to existing procedures.

#### AMC5 ~~ADR.OPS.D.085(a)~~ ADR.OPS.E.xx Training

##### APRON MANAGEMENT SERVICE UNIT

(a) ~~The aerodrome operator or, when applicable,~~ the apron management services provider should ensure that personnel providing instructions to aircraft or vehicles on the apron through RTF have successfully completed initial, on-the-job, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome;

[...]

(f) ~~The aerodrome operator should ensure that~~ personnel providing instructions to aircraft or vehicles on the apron through RTF are **should be** briefed or, if required, trained on new procedures or changes to existing procedures.

response

*Accepted*

Concerning AMC3 ADR.OPS.D.085(a) (new number AMC1 ADR.OPS.D.075(a)), the comments have been accepted and text has been revised accordingly.

comment

507

comment by: *DGAC France*

#### ADR.OPS.D.085 Need for local training

##### Level 2 – Suggestion for clarification

As regards training of marshallers, leader van personnel and AMS unit personnel, the requirements concerning local training, as opposed to generic training, should be clearly identified. This would allow the “difference training” to be easily completed, in case of a person working at a given aerodrome and wanting to be hired at another aerodrome.

Concerning marshallers and leader van personnel (AMC3 and AMC4), requirements related to local training are currently not clearly identified. Concerning AMS unit personnel (AMC5), we infer that local training corresponds to “unit training”, but this should be made clearer.

response

*Noted*

comment

571

comment by: *Finavia*



Comment: This requirement is too detailed. Especially the marshalling service is often provided by the external ground handling companies. Practically this means that hundreds of people, outside the supervision of the aerodrome operator, are involved. It is impossible for the aerodrome operator to ensure that these training requirements are continuously followed and fulfilled by those external companies.

Proposed action: Clarification is needed that if the service is provided by somebody else than the aerodrome operator the provider itself shall be responsible for the fulfillment of the training requirements.

response *Noted*

comment 706

comment by: Pau Pyrénées Airport - PUF/LFBP

Attachment [#160](#)

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

- ┆ ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ┆ ADR.OPS.D.001 Provision of services
- ┆ ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir selon quels critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)



- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs)

(ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de soustraction.

### 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicated so that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management on all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on which criteria an apron management unit should be implemented

2/ Can we have several apron management units on an aerodrome?

ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by ADR.AR.C035 ( b ) ( 1 ) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an apron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,

ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be added, but the 3 minimum functions could be



|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | made by 2 different companies on a same part of an apron, except in case of subcontracting.<br>4/ Proportional measures<br>The need of commensurate measures with the size, the traffic, the category and the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if ADR.OPS.D001 gives a flexibility as for the application of these rules, but without defining any criterion for its application |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| comment  | 890 <span style="float: right;">comment by: AESA - Spanish CAA</span><br>In ADR.OPS.D.085, there are several bullet points numbered (a), (b) and (c). The AMCs related to these numbers are not correctly referenced. They all refer to (a).                                                                                                                                                                                                                                                                                   |
| response | <i>Accepted</i><br>The references have been corrected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC4 ADR.OPS.D.085(a) Training** p. 70-71

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| comment  | 10 <span style="float: right;">comment by: Jan Loncke</span><br>AMC4 ADR.OPS.D.085 (a)<br>Consider rewording 'leader van' in the title, in the text AMC4 ADR.OPS.D.085 (a)(b)(1), and in the text AMC4 ADR.OPS.D.085 (a)(c), .<br>Suggestion to use : "Follow-me".                                                                                                                                                                                                                                                                                                                       |
| response | <i>Accepted</i><br>The term 'leader van' has been replaced with the term 'FOLLOW-ME VEHICLE'.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | 19 <span style="float: right;">comment by: Amsterdam Airport Schiphol - AMS/EHAM (and D.A.A)</span><br>Replace "leader van" by "follow me vehicles"                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| response | <i>Accepted</i><br>The term 'leader van' has been replaced with the term 'FOLLOW-ME VEHICLE'.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| comment  | 128 ❖ <span style="float: right;">comment by: ADV - German Airports Association</span><br>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |



response

Accepted

The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.

comment

506 ❖

comment by: DGAC France

**ADR.OPS.D.085 Responsibilities for training of personnel****Level 1 - Fundamental comment**

a) According to Council directive 96/67/EC of 15 October 1996 *on access to the groundhandling market at Community airports*, personnel providing marshalling service, leader van service or instructions through radio frequency are considered as ground handlers, unless the corresponding services are provided by the air traffic service (cf Annex, para 5 “ramp handling”).

It means that the aerodrome operator has no power and no means to ensure the proper training of this personnel. ADR.OPS.D.085 should be a requirement applying to the entity providing the service : either the ground handler, or the ANSP in case the latter performs the service (as for example the apron control tower in CDG, which is a sub-entity of the French ANSP).

Note : according to Council directive 96/67/EC, Member States can require the obtention of an approval delivered by a public authority for ground handlers, based among other criteria on safety of equipment and persons. The training requirements introduced by ADR.OPS.D.085 could be a condition for the obtention of this approval.

b) Another question is to determine whether the services listed in ADR.OPS.D.085 are in the scope of “Apron management service” as defined by ICAO Annex 14. Since the NPA gives no definition of the means that can be used to provide AMS service, it is not clear whether these personnel are in the scope of AMS service (as a way to ensure the three AMS functions), or if they can operate even when no AMS unit is established.

The corresponding AMCs give the impression that marshalling and leader van service are as out of the scope of AMS unit, whereas instructions through R/T is specific to the provision of AMS. Indeed, AMC5, relating to personnel providing instructions to aircraft or vehicles on the apron through RTF, is the only AMC which has the words “AMS unit” in its subtitle. It is not the case for AMC3 and AMC4.

If this interpretation is confirmed, the provisions relating to leader vans or marshallers can remain in Subpart D, whereas provisions relating to personnel providing instructions through R/T, which apply to the AMS unit/provider, should be moved in Subpart E.

It is therefore proposed to modify ADR.OPS.D.085 and the corresponding AMCs as follows :

**ADR.OPS.D.085 Training**

~~The aerodrome operator and/or apron management services provider when established, shall ensure that~~

~~The employer of those persons providing:~~

~~(a) instructions to aircraft and/or vehicles on the apron through radio frequency;~~

~~(b) marshalling service; and~~

~~(c) leader van service;~~

~~shall ensure that they are appropriately trained and qualified.~~

**ADR.OPS.E.xx Training**

~~The apron management services provider shall ensure that those persons providing instructions to aircraft and/or vehicles on the apron through radio frequency are appropriately trained and qualified.~~



**AMC3 ADR.OPS.D.085(a) Training**

## MARSHALLERS TRAINING

(a) ~~The aerodrome operator should ensure that a~~ Aircraft marshallers **should** have successfully completed initial, on-the-job-training, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome.

[...]

(f) ~~The aerodrome operator should ensure that~~ marshallers **are should be** briefed or, if required, trained on new procedures or changes to existing procedures.

**AMC4 ADR.OPS.D.085(a) Training**

## LEADER VAN DRIVERS' TRAINING

(a) ~~The aerodrome operator should ensure that~~ FOLLOW-ME vehicle drivers **should** have successfully completed initial, on-the-job-training, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome.

[...]

(f) ~~The aerodrome operator should ensure that~~ FOLLOW-ME vehicle drivers **are should be** briefed or, if required, trained on new procedures or changes to existing procedures.

**AMC5 ADR.OPS.D.085(a) ADR.OPS.E.xx Training**

## APRON MANAGEMENT SERVICE UNIT

(a) ~~The aerodrome operator or, when applicable,~~ the apron management services provider should ensure that personnel providing instructions to aircraft or vehicles on the apron through RTF have successfully completed initial, on-the-job, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome;

[...]

(f) ~~The aerodrome operator should ensure that~~ personnel providing instructions to aircraft or vehicles on the apron through RTF **are should be** briefed or, if required, trained on new procedures or changes to existing procedures.

response

*Accepted*

Concerning AMC4 ADR.OPS.D.085(a) (new number AMC1 ADR.OPS.D.075(b)), the comments have been accepted and text has been revised accordingly.

comment

507 ❖

comment by: *DGAC France*

**ADR.OPS.D.085 Need for local training****Level 2 – Suggestion for clarification**

As regards training of marshallers, leader van personnel and AMS unit personnel, the requirements concerning local training, as opposed to generic training, should be clearly identified. This would allow the “difference training” to be easily completed, in case of a person working at a given aerodrome and wanting to be hired at another aerodrome.

Concerning marshallers and leader van personnel (AMC3 and AMC4), requirements related to local training are currently not clearly identified. Concerning AMS unit personnel (AMC5), we infer that local training corresponds to “unit training”, but this should be made clearer.

response

*Noted*

comment

609

comment by: *Belgian CAA*

Why use both "leader van" and "follow me"? Better choose for "follow me vehicle".



response *Accepted*

comment

707

comment by: *Pau Pyrénées Airport - PUF/LFBP*

Attachment [#161](#)

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Références

- ┆ ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ┆ ADR.OPS.D.001 Provision of services
- ┆ ADR.OPS.D.005 Functions of a provider of apron management services

Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir selon quels critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs) (ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de soustraction.

3/ Proportionnalité des mesures



La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

Courtesy translation

Field of application

Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicated so that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management on all aerodromes ("shall be provided").

In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on which criteria an apron management unit should be implemented

2/ Can we have several apron management units on an aerodrome?

ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by ADR.AR.C035 ( b ) ( 1 ) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an apron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,

ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be added, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The need of commensurate measures with the size, the traffic, the category and the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if ADR.OPS.D001 gives a flexibility as for the application of these rules, but without defining any criterion for its application

response *Noted*



|          |                                                                                                                                                                                            |                                                          |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| comment  | 891                                                                                                                                                                                        | comment by: AESA - Spanish CAA                           |
|          | In ADR.OPS.D.085, there are several bullet points numbered (a), (b) and (c). The AMCs related to these numbers are not correctly referenced. They all refer to (a).                        |                                                          |
| response | Accepted                                                                                                                                                                                   |                                                          |
| comment  | 909 ❖                                                                                                                                                                                      | comment by: HIA - Highlands and Islands Airports Limited |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |                                                          |
| response | Noted                                                                                                                                                                                      |                                                          |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — AMC5 ADR.OPS.D.085(a) Training** p. 71-72

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                               |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: ADV - German Airports Association |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                               |
| response | Accepted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                               |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                               |
| comment  | 369                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | comment by: Aena                              |
|          | In case of both ATS and apron management provided by the same organisation, these requirements on training could be avoided because they are also included as part of ATCO's training.                                                                                                                                                                                                                                                                                                         |                                               |
| response | Accepted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                               |
|          | Please refer to the reply on the Implementing Rule.                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                               |
| comment  | 506 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: DGAC France                       |
|          | <p><b>ADR.OPS.D.085 Responsibilities for training of personnel</b></p> <p><b>Level 1 - Fundamental comment</b></p> <p>a) According to Council directive 96/67/EC of 15 October 1996 on access to the groundhandling market at Community airports, personnel providing marshalling service,</p>                                                                                                                                                                                                 |                                               |



leader van service or instructions through radio frequency are considered as ground handlers, unless the corresponding services are provided by the air traffic service (cf Annex, para 5 “ramp handling”).

It means that the aerodrome operator has no power and no means to ensure the proper training of this personnel. ADR.OPS.D.085 should be a requirement applying to the entity providing the service : either the ground handler, or the ANSP in case the latter performs the service (as for example the apron control tower in CDG, which is a sub-entity of the French ANSP).

Note : according to Council directive 96/67/EC, Member States can require the obtention of an approval delivered by a public authority for ground handlers, based among other criteria on safety of equipment and persons. The training requirements introduced by ADR.OPS.D.085 could be a condition for the obtention of this approval.

b) Another question is to determine whether the services listed in ADR.OPS.D.085 are in the scope of “Apron management service” as defined by ICAO Annex 14. Since the NPA gives no definition of the means that can be used to provide AMS service, it is not clear whether these personnel are in the scope of AMS service (as a way to ensure the three AMS functions), or if they can operate even when no AMS unit is established.

The corresponding AMCs give the impression that marshalling and leader van service are as out of the scope of AMS unit, whereas instructions through R/T is specific to the provision of AMS. Indeed, AMC5, relating to personnel providing instructions to aircraft or vehicles on the apron through RTF, is the only AMC which has the words “AMS unit” in its subtitle. It is not the case for AMC3 and AMC4.

If this interpretation is confirmed, the provisions relating to leader vans or marshallers can remain in Subpart D, whereas provisions relating to personnel providing instructions through R/T, which apply to the AMS unit/provider, should be moved in Subpart E.

It is therefore proposed to modify ADR.OPS.D.085 and the corresponding AMCs as follows :

#### **ADR.OPS.D.085 Training**

~~The aerodrome operator and/or apron management services provider when established, shall ensure that~~

~~The employer of those persons providing:~~

- ~~(a) instructions to aircraft and/or vehicles on the apron through radio frequency;~~
- ~~(b) marshalling service; and~~
- ~~(c) leader van service;~~

~~shall ensure that they are appropriately trained and qualified.~~

#### **ADR.OPS.E.xx Training**

~~The apron management services provider shall ensure that those persons providing instructions to aircraft and/or vehicles on the apron through radio frequency are appropriately trained and qualified.~~

#### **AMC3 ADR.OPS.D.085(a) Training**

##### MARSHALLERS TRAINING

- ~~(a) The aerodrome operator should ensure that a Aircraft marshallers~~ **should** have successfully completed initial, on-the job-training, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome.

[...]

- ~~(f) The aerodrome operator should ensure that marshallers are~~ **should be** briefed or, if required, trained on new procedures or changes to existing procedures.

#### **AMC4 ADR.OPS.D.085(a) Training**

##### LEADER VAN DRIVERS' TRAINING

- ~~(a) The aerodrome operator should ensure that FOLLOW-ME vehicle drivers~~ **should** have successfully completed initial, on-the job-training, and, if applicable, differences training in



order to be qualified prior to the commencement of their duties at the aerodrome.  
 [...]
   
 (f) ~~The aerodrome operator should ensure that FOLLOW-ME vehicle drivers are~~ **should be** briefed or, if required, trained on new procedures or changes to existing procedures.
   
**AMC5 ADR.OPS.D.085(a) ADR.OPS.E.xx Training**
  
**APRON MANAGEMENT SERVICE UNIT**
  
 (a) ~~The aerodrome operator or, when applicable,~~ the apron management services provider should ensure that personnel providing instructions to aircraft or vehicles on the apron through RTF have successfully completed initial, on-the-job, and, if applicable, differences training in order to be qualified prior to the commencement of their duties at the aerodrome;
   
 [...]
   
 (f) ~~The aerodrome operator should ensure that personnel providing instructions to aircraft or vehicles on the apron through RTF are~~ **should be** briefed or, if required, trained on new procedures or changes to existing procedures.

response *Accepted*

comment 507 ❖

comment by: *DGAC France*

**ADR.OPS.D.085 Need for local training**

**Level 2 – Suggestion for clarification**

As regards training of marshallers, leader van personnel and AMS unit personnel, the requirements concerning local training, as opposed to generic training, should be clearly identified. This would allow the “difference training” to be easily completed, in case of a person working at a given aerodrome and wanting to be hired at another aerodrome. Concerning marshallers and leader van personnel (AMC3 and AMC4), requirements related to local training are currently not clearly identified. Concerning AMS unit personnel (AMC5), we infer that local training corresponds to “unit training”, but this should be made clearer.

response *Noted*

Many topics on the training syllabus are related to local conditions.

comment 610

comment by: *Belgian CAA*

Does (9) include "stand and gate allocation"?

response *Noted*

This refers to how aircraft stands are arranged, their interdependencies, etc.

comment 708

comment by: *Pau Pyrénées Airport - PUF/LFBP*

Attachment [#162](#)

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).

Objet

Champ d'application du présent règlement (obligation, unicité du prestataire, proportionnalité des mesures).



## Références

- ┆ ADR.AR.C035 (b)(1) et (d) Issuance of certificates
- ┆ ADR.OPS.D.001 Provision of services
- ┆ ADR.OPS.D.005 Functions of a provider of apron management services

## Commentaires

1. Nous comprenons que la fonction gestion d'aire de trafic n'est pas obligatoire mais cela n'est pas clairement indiqué, la rédaction laisse une large marge d'interprétation.

En effet, l'ADR.OPS.D001 semble imposer la fourniture du service de gestion d'aire de trafic sur tous les aérodromes ("shall be provided").

A contrario, l'ADR.OPS.D005 semble ouvrir la possibilité de s'en dispenser ("When apron management services are provided"). Cette alternative est également évoquée dans la note explicative (2.3.1.1, page 6, dans le troisième paragraphe) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

De même, la mise en oeuvre de la fonction de gestion d'aire de trafic reste une éventualité car il est utilisé dans plusieurs règles "when applicable" ou "if applicable"., notamment dans les règles suivantes.

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018(d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085(a) Training MARSHALLERS TRAINING(a)
- AMC4 ADR.OPS.D.085(a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

2. La question qui se pose ensuite, est de savoir selon quels critères un service de gestion d'aire de trafic doit être fourni.

3. Nous comprenons également que, s'il existe un prestataire de service de gestion de l'aire de trafic, celui-ci doit au minimum s'occuper selon l'ADR.OPS.D.005 des fonctions suivantes :

- la gestion des mouvements des aéronefs sur l'aire de trafic (ADR.OPS.D015)
- la coordination des entrées/sorties des aéronefs sur l'aire de trafic (ADR.OPS.D020)
- la coordination des véhicules sur l'aire de trafic (en particulier sur les voies de circulation des aéronefs)

(ADR.OPS.D035),

Cela sous-entend que d'autres fonctions peuvent s'ajouter, mais que les 3 fonctions minimales ne peuvent être traitées par 2 entités différentes sur une même partie d'aire de trafic, sauf en cas de soustraction.

## 3/ Proportionnalité des mesures

La nécessité d'avoir des mesures proportionnelles par rapport à la taille, au trafic, à la catégorie et à la complexité de l'aérodrome tel que prévu par les dispositions du règlement de base n°216/2008 (considérants n°5 et n°11) du projet de règlement n'a pas été transcrite dans les règles, même si l'ADR.OPS.D001 apporte une souplesse quant à l'application de ces règles, mais sans définir de critère d'application.

## Courtesy translation

## Field of application

## Comments

1/ We understand that function of apron management is not mandatory, but it is not clearly indicated so that the writing could be interpreted in different senses :

Indeed, ADR.OPS.D001 seems to oblige provision of apron management on all aerodromes ("shall be provided").



In opposition, ADROPS.D005 presents the opportunity to be exempted ("When apron management services are provided"). This option is already mentioned in the explanatory note (2.3.1.1, page 6, third paragraph) "The establishment of a dedicated unit to provide apron management services at an apron is not a 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.

"when applicable" or "if applicable" are used in several rules especially in the following ones :

- ADR.AR.C.035 Issuance of certificates (2)
- ADR.OR.C.030 Occurrence reporting (c)
- AMC1 ADR.OR.D.018 (d) (a) (1) Training and proficiency check programmes — providers of apron management services
- AMC3 ADR.OPS.D.085 (a) Training MARSHALLERS TRAINING (a)
- AMC4 ADR.OPS.D.085 (a) Training LEADER VAN DRIVERS' TRAINING (a)
- AMC5 ADR.OPS.D.085 Training (a) APRON MANAGEMENT SERVICE UNIT (a)

The question is open on which criteria an apron management unit should be implemented

2/ Can we have several apron management units on an aerodrome?

ADR.OPS.D005 lists the minimal functions to be included in the apron management service

ADR.OPS.D.015 Management of aircraft movement on the apron

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron

ADR.OPS.D.035 Management of vehicle movements

This writing does not seem to leave the choice; since the service is returned, it "shall" and include the three items (ADR.OPS.D015 ; ADR.OPS.D020 ; ADR.OPS.D035).

It is contradicted by ADR.AR.C035 ( b ) (1) and ( d ) which leaves the possibility of having several certificates.

3/ We also understand that if an apron management unit exist, it shall deal with a minimum :

ADR.OPS.D.015 Management of aircraft movement on the apron,

ADR.OPS.D.020 Coordination of aircraft entry to /exit from the apron,

ADR.OPS.D.035 Management of vehicle movements.

That is to say that other function could be added, but the 3 minimum functions could be made by 2 different companies on a same part of an apron, except in case of subcontracting.

4/ Proportional measures

The need of commensurate measures with the size, the traffic, the category and the complexity of the aerodrome such as planned into the Basic Regulation (EC) n°216 / 2008 (recital n°5 and n° 11) of the project of regulation was not transcribed in rules even if ADR.OPS.D001 gives a flexibility as for the application of these rules, but without defining any criterion for its application

response *Noted*

comment **887** comment by: *AESA - Spanish CAA*

The modules defined in this AMC do not comply with the ones defined in GM1 ADR.OPS.D.085. They should be the ones in the GM.

response *Noted*

comment **892** comment by: *AESA - Spanish CAA*

In ADR.OPS.D.085, there are several bullet points numbered (a), (b) and (c). The AMCs



|          |                                                                                                                                                                                                                                                                     |
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|          | related to these numbers are not correctly referenced. They all refer to (a).                                                                                                                                                                                       |
| response | <i>Accepted</i><br>The references have been corrected.                                                                                                                                                                                                              |
| comment  | 909 ❖ <i>comment by: HIA - Highlands and Islands Airports Limited</i><br>A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |
| response | <i>Noted</i>                                                                                                                                                                                                                                                        |

**3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM1 ADR.OPS.D.085 Training** p. 72-74

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| comment  | 82 <i>comment by: Flughafen Berlin Brandenburg GmbH</i><br>Winter procedures are a crucial part of apron management and should therefore be added to module 12 - all waether operations.                                                                                                                                                                                                                                                                                                                                                                     |
| response | <i>Accepted</i><br>Winter operations have been added as point (c) in Module 12.                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| comment  | 85 <i>comment by: Flughafen Berlin Brandenburg GmbH</i><br>The topic covered by Module 4 should be amended by a reference to applicable ICAO language requirements. This reference has been made for airside drivers in GM2 ADR.OPS.B.025 and should not be omitted for other cases of radio communication.                                                                                                                                                                                                                                                  |
| response | <i>Noted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| comment  | 128 ❖ <i>comment by: ADV - German Airports Association</i><br>Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |
| response | <i>Accepted</i><br>The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                                                               |



|          |                                                                                                                                                                                            |                                                                           |
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| comment  | 145                                                                                                                                                                                        | comment by: <i>ADV - German Airports Association</i>                      |
|          | Winter procedures are a crucial part of apron management and should therefore be added to Module 12. All Weather Operations.                                                               |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                            |                                                                           |
|          | Winter operations have been added as point (c) in Module 12.                                                                                                                               |                                                                           |
| comment  | 375                                                                                                                                                                                        | comment by: <i>Aena</i>                                                   |
|          | In case of both ATS and apron management provided by the same organisation, these requirements on training could be avoided because they are also included as part of ATCO's training.     |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                               |                                                                           |
| comment  | 457                                                                                                                                                                                        | comment by: <i>ACI EUROPE (Airports Council International)</i>            |
|          | Winter procedures are a crucial part of apron management and should therefore be added to Module 12. All Weather Operations.                                                               |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                            |                                                                           |
|          | Winter operations have been added as point (c) in Module 12.                                                                                                                               |                                                                           |
| comment  | 841                                                                                                                                                                                        | comment by: <i>Assaeroporti - Associazione Italiana Gestori Aeroporti</i> |
|          | Winter procedures are a crucial part of apron management and should therefore be added to Module 12. All Weather Operations.                                                               |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                            |                                                                           |
|          | Winter operations have been added as point (c) in Module 12.                                                                                                                               |                                                                           |
| comment  | 909 ❖                                                                                                                                                                                      | comment by: <i>HIA - Highlands and Islands Airports Limited</i>           |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |                                                                           |
| response | <i>Noted</i>                                                                                                                                                                               |                                                                           |
| comment  | 979                                                                                                                                                                                        | comment by: <i>Federal Office of Civil Aviation FOCA</i>                  |
|          | FOCA suggests to add within the "Module 12. All Weather Operations" a further subparagraph "c. winter conditions".                                                                         |                                                                           |
| response | <i>Accepted</i>                                                                                                                                                                            |                                                                           |
|          | Winter operations have been added as point (c) in Module 12.                                                                                                                               |                                                                           |



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| comment  | 1051                                                                                                                         | comment by: Turin Airport - TRN/LIMF |
|          | Winter procedures are a crucial part of apron management and should therefore be added to Module 12. All Weather Operations. |                                      |
| response | <i>Accepted</i>                                                                                                              |                                      |
|          | Winter operations have been added as point (c) in Module 12.                                                                 |                                      |

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| <b>3. Proposed amendments — 3.2. Draft Decision — AMC/GM to ANNEX III — Part Organisation Requirements — Aerodrome Operators (Part ADR.OR) — SUBPART D — APRON MANAGEMENT SERVICES — GM2 ADR.OPS.D.085 Training</b> | p. 74 |
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| comment  | 128 ❖                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | comment by: ADV - German Airports Association |
|          | Most of the paragraphs and requirements in Subpart D are related to the aerodrome operator. However, these requirements in many instances (D.020, D.035, D.045, D.050, D.060, D.065 and D.085) should also be directed towards the provider of apron management services. Consequently, the wording in subpart D, para D.020, D.035, D.045, D.050, D.060, D.065 and D.085 should be changed to "The aerodrome operator or, when applicable, the apron management services provider should...." |                                               |
| response | <i>Accepted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                               |
|          | The requirements addressed to the aerodrome operator have been retained in Subpart D, while the requirements addressed to the provider of apron management services have been moved into the new Subpart E.                                                                                                                                                                                                                                                                                    |                                               |

|          |                                                                                                                              |                    |
|----------|------------------------------------------------------------------------------------------------------------------------------|--------------------|
| comment  | 352                                                                                                                          | comment by: Avinor |
|          | Winter procedures are a crucial part of apron management and should therefore be added to Module 12. All Weather Operations. |                    |
| response | <i>Accepted</i>                                                                                                              |                    |
|          | Winter operations have been added as point (c) in Module 12.                                                                 |                    |

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| comment  | 909 ❖                                                                                                                                                                                      | comment by: HIA - Highlands and Islands Airports Limited |
|          | A large number of these items are contained in our existing Safety Management Systems Manual, Aerodrome Manual, Aerodrome Manual Annexes and Training Volumes. These will be referred out. |                                                          |
| response | <i>Noted</i>                                                                                                                                                                               |                                                          |

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| <b>5. Appendices — 5.4. Part ADR.OR DETAILED DESCRIPTION OF CHANGES — AMC &amp; GM</b> | p. 85-93 |
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|         |                                                                                       |                                                   |
|---------|---------------------------------------------------------------------------------------|---------------------------------------------------|
| comment | 980                                                                                   | comment by: Federal Office of Civil Aviation FOCA |
|         | GM1 ADR.OR.B.040 (b) (c): FOCA suggests to add: "substantial changes in financing and |                                                   |



|          |                                             |
|----------|---------------------------------------------|
|          | ownership and any change of key personnel". |
| response | <i>Noted</i>                                |



## 5. Appendix A - Attachments

 [Certification or declaration general comments NPA 24 2013.pdf](#)

Attachment #1 to comment [#165](#)

 [Responsibilities general comments NPA 24 2013.pdf](#)

Attachment #2 to comment [#165](#)

 [Alcohol medicine use general comments NPA 24 2013.pdf](#)

Attachment #3 to comment [#165](#)

 [Coordination general comments NPA 24 2013.pdf](#)

Attachment #4 to comment [#165](#)

 [Certificat implementation general comments NPA 24 2013.pdf](#)

Attachment #5 to comment [#165](#)

