

## Summary of Conclusions



### MAB 2-2017 meeting

26-27 June 2017

Day 1: EC CCAB, meeting room 5B, rue Froissart, 1049 Brussels

Day 2: EC CCAB, meeting room 2B, rue Froissart, 1049 Brussels

Organised by

Strategy and Safety Management Directorate- SM 0.2. & 2.1

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Annex 3 Extract from SM TeB meeting minutes related to AR

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<b>MoM Distribution: all participants</b>			
<b>MoM prepared by</b>	Kirsti Reinartz-Krott	<b>11.07.2017</b>	<b>Signature</b>
<b>MoM reviewed by</b>	Luc Tytgat		<b>Signature</b>



## DAY 1

### 1. Welcome and Introduction

*Presented by J.-M. Cluzeau, Head of Strategy and Safety Programmes Dept. (Chair Day 1)*

In the absence of Luc Tytgat, Strategy and Safety Management Director, who would join on Day 2, Jean-Marc Cluzeau chaired and briefly presented the draft agenda item by item.

### 2. Adoption of the agenda

*Presented by J.-M. Cluzeau*

The Chair asked for additional topics under AOB. The AT representative requested to discuss cross-border special operations (SPO) under AI10, which had been discussed at the OPS TeB.

**[Post-meeting note: State letter 2017-54 on ANS Conference was added to the AI17 during the meeting.]**

**Conclusion: The Agenda was adopted as presented, including the proposed agenda items.**

### 3. Adoption of the minutes of the previous meeting, review of action table

*Presented by: J.-M. Cluzeau and MAB Secretariat*

The draft minutes were briefly reviewed. There had been no comments. A few corrections to the Action items from last meeting were announced:

11-1-2017 was closed, as the consultation had been launched.

12-1-2017 remains open, as the item was postponed to the September meeting.

**Conclusion: The minutes were agreed with the corrections mentioned above.**

**[Post meeting note: Action item 14-1-2017 was deleted as it is a duplication of action item 13-1-2017]**

## 12. Advisory Bodies

*Presented by Kai Bauer, Safety Programmes Section Manager*

### • Report on how to streamline the coordination of the Advisory Bodies

The MAB was requested to comment on the Agency's coordination efforts, including the future communication platform on Sharepoint. The Sharepoint testing is planned for July.

MAB members highlighted that

- Often objectives and targets are not clear **(point taken by Agency)**
- Agendas of TeBs are overloaded, there is no time for discussions, and items are postponed to next meetings in 6 months **(Agency stated that TeBs are functioning but have not yet reached maturity – point taken and will be discussed internally, also how to better identify agenda priorities)**
- Standardisation issues are discussed, but perhaps not with the desired intensity – better balance is needed **(point taken by Agency)**
- Documentation for meetings is not delivered in a timely manner for internal coordination and feedback **(Agency agrees to test for next meeting the proposal to deliver meeting papers at least 2 weeks in advance and to remove those items from agenda for which no timely delivery occurs)**
- Common GA meetings with industry are not appreciated by all **(point taken by Agency)**
- Multi-domain issues are discussed in 'silos' in various different groups, with own interests prevailing **(According to Agency, different views on same subjects is not unusual and can be expected. The different input needs to be assessed, balanced and presented to MAB/EASA Committee for a final decision)**
- Representatives on TeBs, MAB, EASA Committee are not all on same wave length
- Sharepoint should be the one and only system for all fora, there should be a machine interface to enable easy download of documents - AT, FI, IRE members volunteer for testing phase. **(Agency confirms that Sharepoint should cover the present systems as possible, and have a common EASA log-in. The download function will be evaluated during the testing phase. The Commission mentions that it will keep CIRCABC for comitology and Standardisation reports)**



Agency adds that MAB/TeB RoPs could be reviewed to improve coordination and multi-domain issues and that the new section SM 0.2. has been created to solve issues related to the AB coordination.

**Conclusion: AB coordination efforts will be monitored at MAB meetings.**

**Actions:**

**1-2-2017:** Agency to test delivering meeting papers at least 2 weeks in advance of the next meeting and to remove the agenda items for which papers are not delivered on time.

## **5. Measuring quality of rulemaking deliverables**

*Presented by Kai Bauer*

The Agency reminded that stakeholder feedback surveys were used in the past to give input on the quality of rules. Furthermore, the Rulemaking KPI predominantly focuses on their timely delivery. The frequency of stakeholder surveys (> 2 years) is not sufficient for proper quality monitoring. For this reason, a quarterly assessment including quality aspects is proposed. A first survey on this had been launched in April, with very little, but positive feedback.

Some MAB members propose questionnaires on quality with each deliverable, some find surveys very time consuming, and others apologised for not having answered to the survey in April. It was suggested to assess the quality with each NPA and IA. This would allow to use the CRT tool to receive input for measuring quality.

It was further discussed that impact assessments include also a socio-economic view of the effect of regulations, i.e. assess benefits and pros for growth of the industry from a macroeconomic perspective. This should also apply for ex-post evaluations.

**Conclusion:**

The Agency to consider adding the questionnaire on quality to each NPA for upload on the CRT tool, although this would then exclude surveys for Agency Opinions and Decisions. Agency should try to find a solution for the latter. The IP01 and the presentation will be delivered as post meeting documents, deadline for commenting is 12 July.

**Actions:**

**2-2-2017:** Agency to consider by Q1 of 2018 testing integration of questionnaires with NPAs and use CRT for feedback on quality.

**3-2-2017:** MAB to comment on IP 01 till 12 July. *[Post meeting note: IP 01 and presentation sent as post-meeting documents]*

## **6. Feedback on implementation of EASA rules**

*Presented by J.-M. Cluzeau and Thaddee Sulocki, Head of Policy & Planning Department*

### **Verbal report on AltMoC production 2012-2017 in OPS domain**

The Agency had answered a query of the AT MAB member on the number of AltMoCs issued between 2012-2017 and whether this could be seen as a need for amending certain rules. A presentation on AltMoCs had been given at the previous OPS TeB meeting (to be shared) and questions had arisen. The Agency explained that the vast majority of (essentially OPS) provisions have one or no AltMoc, and three or four rule paragraphs have more than four issued. About 25% of the proposed AltMoCs were not acceptable as they were in fact exemptions. It was foreseen that the performance-based approach would induce more use of AltMoCs. The UK MAB member was asked to share the questions raised at the OPS TeB. It was proposed by MAB to list all AltMoCs on EASA website, and also to update the information on Art. 14(4) exemptions. Furthermore, to provide a breakdown of authority/organisation AltMoCs. The Agency mentioned it was MS responsibility to publish their AltMoCs. However, if there were the links to the authorities' pages dealing with AltMoCs, then the info could be reachable from one spot. The Agency asked to be provided with the links.

**Conclusion:**



The presentation and response to AT MAB member will be shared as post-meeting documents.

**Actions:**

**4-2-2017:** Agency to share with MAB the answer to AT MAB member on Alt MoCs and the related presentation given at OPS TeB. *[Post-meeting note: documents sent with the current draft minutes e-mail]*

**5-2-2017:** UK MAB member to provide Agency with questions raised at OPS TeB regarding AltMoC.

**6-2-2017:** Agency and Commission to consider publication of Art. 14 (1) & (4) decisions.

**7-2-2017:** MS to provide links to the authority webpages dealing with AltMoC publication.

## 8. Update on cost sharing web based platforms

*Presented by J.-M. Cluzeau*

### Charter – update and next steps

The final Agency recommendation was for France to withdraw its derogation.

The Agency reminded the MAB that the Charter had been signed by three platforms at AERO in April 2017. The insurance aspect was still open. The participating platforms committed to meet annually, next time in Q2 2018 to assess the implementation of the Charter.

Most MAB members are supportive of Charter and the related safety promotion activities. Some members asked if further platforms and private pilots were encouraged to sign or be connected to Charter, and if Web-based training for pilots on the information for passengers would be launched. Furthermore, some members highlighted a legal issue related to the lack of oversight responsibility of MS, and to make pilots aware of the shift of responsibility to them. Also, MS reiterated their request for an update on Com. Reg. 1008/2008 to take account of future effects on the market, should this niche activity grow, in particular having air taxi operators in mind.

IT, not favourable to this activity, requested to have wording of Pt (17) to be amended to read:

*‘(17) The draft Charter was presented to the MAB on 14 February 2017 and received positive feedback from the majority of MAB members.’*

The Agency pointed out that currently the share of cost shared flights is less than 1% of GA flights, so possible market distortion is currently not visible. ‘Cost-sharing’ flights are in essence not a ‘air taxi’ activity.

Update on DGAC Art. 14 (1) exemption.

The French MAB member informed that the derogation was withdrawn on Friday, 23 June 2017. It was also asked to give the Charter more visibility on the Agency website.

**Conclusion:** The MAB majority is supportive of Charter. The Agency will give an update on the status of the Charter signatures. It was also agreed to share Charter and Safety promotion initiatives with pilots via its GA webpage. The amendment of IP 02 by requested IT will be carried out. As regards the oversight responsibility, the Agency checks with its legal service and provide a written answer post-meeting.

**Action:**

**8-2-2017:** Agency to provide update of Charter signatures.

**9-2-2017:** Agency to promote Charter and linked safety promotion activities via its GA webpage.

**10-2-2017:** Agency to check legal status of oversight responsibility with its legal service.

**11-2-2017:** Agency to review IP 02 to reflect comments by MAB.

## 9. FTL Study

*Presented by J.-M. Cluzeau and Thaddee Sulocki*

The Agency presented an information paper on the study regarding fatigue risk. MAB members showed interest in the results of the study. In particular LU is facing problems with unions and would like to know how to get regular updates on the study. The Agency replied that for more direct feedback, one could refer to the OPS TeB and its subgroup on the subject.



Others asked about the type of operators selected, if the study could be extended to helicopters, and if business jets were included. Currently the Agency does not have the mandate and the budget to repeat the study in other domains, but it is true that currently relevant scientific data still missing.

The study covers all types of CAT aeroplane operators (size, type of operations) impacted by the FTL regulation. The agency reminded that the current regulation does not cover all aeroplane CAT operations. In particular air-taxi operators (“on demand commercial air transport operation with an aeroplane with a maximum operational passenger seating configuration of 19 or less”), emergency medical services and single pilot operations are excluded, as. The Agency will consider disclosing de-identified information (types of operators participating in the study).

**Conclusion:** It was decided that regular updates will be provided at next MAB meetings. Slide 9 of the presentation should be corrected to read ‘The other **four** shall be assessed at a later stage.’

**Actions**

**12-2-2017:** Agency to give regular updates on FTL study at next MAB meetings

**[Post-meeting note: Agency is considering that this items is moved to Air Ops TeB.]**

### 13. SSP Guidance to Member States

*Presented by Thaddee Sulocki and Priego Rodrigo, Senior Safety Management Officer*

#### Report from SM TeB

The Agency reported that it had launched a survey following the SM TeB meeting to receive input on expectations of participants and how to best support MS on SSP implementation.

The comments from MAB members, mostly supportive of the work done by SM TeB, were as follows:

- Annex 19 does not address authorities. Authority Requirements address risk of administrative work, not related to aviation. **Agency agrees that the Authority Requirements treats more internal risks of an authority, less operational risks.**
- Are ‘internal risks’ also those of the industry? **Agency agrees that guidance is missing, discussions on this should be relaunched at next SM TeB meeting.**
- Germany (LBA) will take into account all safety information sent by other authorities to [Safety\\_information@lba.de](mailto:Safety_information@lba.de)
- Regarding the harmonisation of inspector training programmes, a performance-based approach should be followed.
- Questions remain on the elaboration of the risk classification scheme –scope of events to be classified. According to the Agency, there was still work to be done here; the target is the end of the year.
- Have horizontal approaches to AR and OR been discussed? The Agency replied that the RAG WG on cross domain SMS Assessment tool was linked to the item, and that there was a common approach. Discussions on the AR would be facilitated.

**Conclusion: SM TeB will discuss AR at future meetings.**

**Actions:**

**13-2-2017:** Agency to share with MAB last SM TeB minutes relevant extract and to discuss AR at SM TeB. **[Post meeting note: SM TeB meeting minute extract attached to the minutes in Annex 3]**

### 14. Horizontal rules Roadmap & link to recommendations of RAG SG on cross domain SMS assessment tool

*Presented by J.-M. Cluzeau and Thaddee Sulocki*

#### Roadmap:

The Agency explained the steps for the Roadmap, with first internal discussions and then AB consultation. So far, the assessment was based on limited data and those mainly benefitting were authorities. The MAB was



asked if this was sufficient information, or if a further cost/benefit analysis survey should be launched following this meeting.

The Roadmap received a positive opinion from MAB and according to the majority, no further survey is needed, at least not before the prototype rules have been drafted. Some MAB members are concerned about the long timeline before final implementation, and the possible inconsistency of implementing RMT.0706 in 2019, vs horizontal rules prototype rules in 2025. One MS pointed out that both costs and benefits might be underestimated in the survey. Another asked why the new ARs are not published in the domain of AW?

The Agency asks for feedback on WP 6a from MAB by 1 September (deadline cannot be extended in order to provide feedback to the MAB in September). The SAB will be consulted in October, considering the effect for industry is limited. MB endorsement will be requested in December and the Roadmap should be implemented as of January 2018. Since there is consensus on the Roadmap, no further survey is currently needed. The long deadline is due to the non-stabilised status in various domains, such as IAW and CAW where no rules have yet been adopted, or ADR which just adopted the rules. Therefore 10 years would be a balanced approach. To ensure consistency, work on RMT.0251 and .0706 will not to be done in isolation but in coordination with the Roadmap implementation. Same goes for the ICAO annexes, which currently have silos, and so those differences need to be addressed.

#### **Cross-domain SMS assessment tool:**

The Chair reviewed the recommendations and associated Agency answers in WP08 and clarified that two of the recommendations were included in the SM TeB survey mentioned above. Several comments by MAB members to the text were made:

**Rec. 4: Why should the tool be used only after initial implementation? According to Agency, the tool is only applicable for audits, inspections, which do not occur at initial approval. Post-meeting Agency correction: the report states**

#### ***'How and when the tool is used***

*This SMS assessment tool should be used for both initial certification (initial implementation of the management system/SMS) and continuing oversight.*

#### ***Initial certification/implementation.***

*Before issuing the certificate, the competent authority should make sure that all processes are "Present" and "Suitable", so that all the required enablers of a functioning SMS are implemented by the organisation. In this initial certification phase, a large part of the SMS assessment could be carried out by a desktop review of relevant SMS Documentation. However, carrying this out at the organisation provides an opportunity for the inspector to advise and guide the organisation on its SMS implementation and support standardised implementation of SMS. '*

***Therefore the tool not meant to be used only after initial certification.***

Rec. 8: Is the proposed training on the SMS Assessment tool not contradicting the direction given by MB for EASA not to deliver training? ***The Agency Technical Training Dept. can provide such trainings also to externals.***

Rec. 9: January 2018 is too soon to collect feedback on the use of SMS tool. ***Agency takes point.***

**Conclusion:** General support to Roadmap from MAB. No further survey needed for the time being. Comments to WPs 06 a, b & WP 08 requested till 1 Sept 2017.

#### **Actions:**

**14-2-2017:** MAB to provide comments on WP 06a, b & WP08 by 1 Sept. 2017.

#### **10. Issues raised by TeBs**

*Presented by AT MAB alternate, Franz Graser*

#### **No issues raised by TeBs**

#### **Cross border SPO raised by AT MAB member**



AT expressed that the difficulty is that there is no approval from other countries, just coordination. A solution could be that each country issues separate Form 151s, is this possible? ES stated that it is difficult to get information for such operations, in particular if a given activity is considered high risk in a particular country.

**Conclusion:** AT will address MAB with proposal (post-meeting), feedback to be expected before next meeting.

**Actions:**

**15-2-2017:** AT MAB member to provide SPO proposal for MAB comments till 2 weeks before next meeting.

**[Post-meeting note: Agency is considering that this items is moved to Air Ops TeB.]**

**Closing Day 1**

**Day 2**

**Short recap of previous day, look ahead of Day 2 Agenda**

*Presented by Luc Tytgat, Strategy & Safety Management Director (Chair)*

Luc Tytgat chaired the meeting during Day 2. He repeated the commitment to deliver MAB meeting papers two weeks in advance. He also announced the transfer of Jean-Marc Cluzeau to the ED office as Principal Advisor to the Executive Director and Kai Bauer as Head of the Environment Department in the Agency. Rodrigo Priego will become the new Safety Programmes Section Manager.

**4. EPAS 2018-2022**

*Presented by Kai Bauer*

The Agency presented the next integrated programme 2018-2022 with a focus on 'cooling down' the production of hard law, limiting the number of opinions to 12 per year and allowing approximately 88 projects as maximum plannable capacity to be worked in parallel.

MAB members were asked if the strategic priorities were what they expected, if they appreciated the 'one document' approach and to comment on WP 01 till 12 July. Most MAB members support the mentioned approach and advocate for cool-down also on soft rules (mainly AMCs->Alt MoCs), as there is little difference in their view, in particular from the Standardisation standpoint. MS implementing capacity and the delay caused by EC inter-service consultation should also be taken into account for planning. The work on AR/OR horizontal rules also supports cooling down. Ex-post evaluation and BR should be part of the document, and academia more strongly included in research activities. Some raised concerns that elements other than rulemaking included in EPAS may cause confusion (in relation to Basic Regulation mandate/role of EPAS for Europe and link with GASP at ICAO). Safety Promotion (SP) should also be better visible in the document.

The Agency agrees that it may need to further differentiate the various kind of soft law: CS, AMC, GM. The reduction of IR will eventually lead to reduction of AMC. The new BR may result in a peak on rulemaking activity in the future, and the cool-down will not apply in this case. The workload of NAAs for the implementation of rules should be assessed by PIA, IA and ex-post evaluations, but MS should also flag concerns to the Agency. PIA helps determine whether rulemaking or SP is the way to go. Regarding new safety issues, they will be assessed as they emerge, but prompt reaction may also be needed, outside of the programming. Ex-post evaluation will be described in more detail in a future document which will be consulted. More information on research is published on the Agency website <http://www.easa.europa.eu/easa-and-you/safety-management/research>

**Conclusion:** MAB supports EPAS and 'cooldown'.

**Actions:**

**16-2-2017:** MAB to comment WP 01 'EPAS strategic priorities 2018-2011'till 12 July 2017.





## 11. Future of EPAS (as from 2019)

*Presented by Luc Tytgat, Kai Bauer, J.-M. Cluzeau, Priego Rodrigo, and AT MAB alternate*

### EPAS +

The Agency presented WP04 with its five proposals. There will be internal discussions at EASA for the monitoring and reporting aspects. Next steps: comments by 1 September, then review at September MAB, and presentation to December MB meeting. The new EPAS+ could be implemented for 2019-2023 (with a phase-in process).

MAB gave its support and main comments as follows:

- clarify the “mandatory” status of EPAS. **The Agency clarified that BR will define the status of EPAS but this does not mean that all actions of EPAS will be mandatory, if justification is provided.**
- timing issue: ICAO starts brainstorming on GASP Q4 2017, EASA may wish to influence the results.
- Link Prop. 1 to SESAR and ICAO. **EASA is already part of GASP, so it is up to date on their planning. EASA presented EPAS at meeting in April 2017. GASP Goals and targets meeting will take place on 12 Sept. Draft ‘GASP goals and targets for 2020-22’ will be shared with MAB to comment. A more mature version of the document should be ready in March 2018.**
- New EPAS will also change working methods, will need to involve more people (Agency takes note)
- Prop. 3 – only annual, or for whole period? **Revision about every three years.**
- Prioritise PBR. **The policy on PBR is an annex to the SPD, shall be tabled at next MAB meeting.**
- Align planning cycles (Commission cycle, EASA cycle, national cycles...). **There is an internal business planning cycle for all intended Agency consultations.**
- Ambitious document meaning resources. **Agency takes note.**

### Actions

**17-2-2017:** Agency to include final policy on PBR on agenda of next meeting

**18-2-2017:** Agency to provide draft ‘GASP goals and targets for 2020-2022’ paper to MAB for comments by 30 August. **[Post-meeting note: action closed. Draft paper sent with the current draft minutes e-mail]**

**19-2-2017:** MAB to provide comments on WP04 – EPAS+ by 1<sup>st</sup> of September

## 17. AOB ICAO State letter on Air Navigation Conference in October 2018

*Presented by Luc Tytgat*

The SL requests in a questionnaire, positions as to whether to hold the subject conference. Questions are related to GANP, so EPAS is involved. As the answer is of EU competence, the Agency proposes to prepare the answer in coordination with Commission, and to have answer ready for AVIA meeting at EASA in July. **[Post-meeting note: SL 2017-54 sent as post-meeting document for information.]**

### Action

**20-2-2017:** Agency to coordinate/prepare answer to SL 2017-54 **[Post meeting note: action closed. Agency will draft proposed response to SL for Commission. Response will be sent to Member States in week 28. In the SL, Agency proposes a strategy for the conference including the four-five main items Europe should focus on.]**

## Cont’d 17. AOB MAB SG future

*Presented by Luc Tytgat*



Agency appreciates the work of the MAB SG, and proposes to have it continue working on EPAS development, but also on other new strategic topics that could have pre-consensus status and presented to MAB on a regular basis. MAB SG has support of most MAB members. Draft ToRs will be developed by Agency in coordination with MAB SG rapporteur, AT MAB member.

**Action**

**21-2-2017:** Agency to draft MAB SG ToRs in coordination with MAB SG rapporteur.

**Cont'd 17. AOB European Strategic Coordination Platform**

*Presented by Luc Tytgat*

The Chair presented the subject platform to deal with cybersecurity issues, which will have participants from Industry, Institutions, international organisations and MS, and announced a kick-off meeting for the Executive Committee on 7 July. Therefore the MAB was asked to coordinate the nomination of four MS participants to the Executive Committee to represent EU MS at the meeting. An invitation to nominate had been sent to the MB.

MAB members inquired why only four MS seats, and how other MS will be kept in the loop of the Committee's activities. Also, as many authorities and institutions are addressing the same subject, how can we avoid duplication of work? Lastly, how can such a rigid structure be flexible enough to keep up with the evolution of the threat?

The Agency replied that only a few MS with the appropriate expertise would be needed, and that recommendations and proposals of the Committee would be included in the EPAS, by which the other MS would be informed. Those industry and institutions currently dealing with cybersecurity (included in platform), do not deal with it regarding aviation, so there is not really duplication. The platform will not be keeping up with the technical advancements of cyberattacks, but more deal with the strategic side of reducing the threats. Commission adds that it supports the Agency taking the lead and ensuring coordination for the aviation cybersecurity issues.

***[Post-meeting note: after the meeting it was clarified that no letter had been sent to MB, but a request had been addressed to MAB before the meeting. A further invitation to nominate delegates was sent out post-meeting. In the end, five MS nominations were sent and accepted: FR, PL, RO, SWE, UK]***

**7. Report on 'Age 60' Workshop [Post-meeting note: this was preceded by AI 15 below]**

*Presented by AT MAB alternate*

AT presented an information paper regarding the Age 60 workshop.

Most MS have not issued any derogations. Some thought that exemptions wouldn't meet the Art. 14(4) conditions. Why is (only) HEMS addressed? Would a 'template' for existing mitigating measures help? On the whole, MAB members support global solution with performance-based elements for more than HEMS, and to approach ICAO. EC favours finding a solution outside derogations and going for a rulemaking task. A 'template' would be too rigid, as many mitigating measures are regional and there could be new ones. The Agency added that Australia and Canada do not have any age limitation.

The Agency highlighted the age 60 study for which the tender was published mid-June, expecting results of the study in Q4/2018, possibly followed by rulemaking. It is likely that ICAO follows EASA, as this was done under the JAA times.

**Conclusion: Report well received. Those MS wishing to share data should do so via the Air Crew TeB or MEG meetings.**

**Action:**

**22-2-2017:** Agency to seek nominations at Air Crew or MEG meeting for supporting the study

***[Post meeting Note: On 5 July, the European Court of Justice ruled that the age limit for commercial airline pilots at 65 is justified because it ensures the overall safety of civil aviation in Europe.]***



## 15. International Cooperation

*Presented by S. Carpe Garcia, Senior International Cooperation Officer and David Waller, Senior Technical Cooperation Regional Manager*

### • Update on current issues

Following the presentation, in which latest international cooperation and technical assistance activities were explained, MAB members had several questions:

- Why support third countries before MS, which may have lack of capacity or knowhow? ***The Agency explained that the funds for EASA technical assistance come from predefined EU external policy instruments, and therefore are not part of EASA budget/resources.***
- Why an unnamed third country had directly copied the EASA licence format. ***They shouldn't have. – EASA regulations should be tailored to the national environment in such countries.***
- What are 'topic specific specialists'? ***Expert positions that cover a particular EU regulation, sometimes outside of the Agency's direct scope***
- What provisions are in place in BASA with China to protect sensitive or proprietary information? ***Protection of Intellectual of property rights and confidentiality is a major concern for EC and the Agency. Proposed to add relevant provisions in the BASA and in the annexes to appropriately manage data exchange.***
- Agency conflict of interest between providing assistance and acting as advisor regarding the Safety List? ***An information barrier / Chinese wall exists between the technical assistance and audit functions. This is managed by the Strategy and Safety Management (SM) directorate. EASA is aware of the conflict of interest risk and is dealing with it by establishing a separation of functions between technical assistance and the evaluation part.***
- What interest does China have to sign such an asymmetrical agreement? ***Chinese side does not want an asymmetrical agreement. They want equal treatment as from its adoption. EU side is of the opinion that the agreement should contain provisions leading to the "gradual" acceptance of Chinese products.***
- What is the status of cooperation with Russia? ***Complications are due to the reorganisation of the Russian authority (FATA fulfils SoD and SoM responsibilities on behalf of the Russian Federation as from December 2015) and the parallel existence of IAC. Any new validation of European product shall go through EASA to FATA. Regarding new Russian products, it goes through FATA to EASA. The difficult case is with Sukhoi RRJ which was certified by IAC (and validated by EASA). This being said, the CAW aspects of this aircraft are appropriately monitored by EASA.***

## 16. Forthcoming Opinions/NPAs

*Presented by Daan Dousi, Flight Crew Licencing Regulations Officer*

### • Electronic Licenses & ICAO State Letter related thereto– orientation discussion

The presentation, distributed as post-meeting document, received support and interest to participate from most MAB members. They regard digitalisation as an essential step, and would like to extend the technology to other domains, such as medical certificates/AML/ATCO licenses. Some MS would nevertheless prefer to keep paper/electronic means in parallel, and also inquired on the costs involved and the final presentation of the product. They highlighted the importance of compatibility with NAA IT systems.

The Agency stated it was too early to say what the final product would look like, most likely an application via smartphone or similar, with a centralised database. ICAO was also in favour of keeping paper format in parallel. Regarding costs, as for any ground-breaking advancement, substantial IT investments would need to be made. Any further questions could be addressed to [chaouki.chabbi@easa.europa.eu](mailto:chaouki.chabbi@easa.europa.eu).



**[Post-meeting Agency decision to provide the update to the FCL TeB meeting instead]**

- **EAMR update (requested by COM)**

Due to Commission unavailability, this item was not presented. *[Post-meeting Agency decision to provide the update to the FCL TeB meeting instead]*

- **MB Decision Article 16 procedure (requested by MAB/EC) – modular LAPL – intermediate results**

The Agency announced it would extend the commenting period for the Art. 16 consultation until 7 July 2017, as not much feedback had been received yet.

The French delegation underlined the importance of the amendment to Art 4(7) with the promotion of GA and step by step training, and stressed the non-binding character of the proposal for other than those MS that decided to implement it. The MAB members stated for the majority that they did not intend to use the provision, but would also not block it.

Some MS felt the discussion should not take place at the MAB but in the technical bodies. Others find the proposal interesting, in particular to promote GA in their country (or young pilots going to France for a 'brevet de base'), but are concerned about the short timeframe. Still others find the proposal a burden, as industry will put pressure on implementation, asked to clarify the legal status of the proposal (permanent opt-out better), or reminded that a similar discussion, and, finally rejection of the proposal had happened for the 'Basic LAPL'.

The Agency requested the MAB members to ask further questions they might have via the on-going Art. 16 consultation. It was also pointed out that some flights in accordance with the French model may fall into the cost sharing category. The consultation results will determine the content of the Opinion.

**Action:**

**23-2-2017:** Agency to extend consultation of Art 16 Modular LAPL proposal to 7 July, to allow more MS to provide their comments/concerns. *[Post meeting note: CLOSED, extension e-mail sent 28.06.2017]*

**Cont'd 17. AOB items**

*Presented by Luc Tytgat, J.-M. Cluzeau, Daan Dousi, NL MAB observer Jan Steenbergen*

- **The AOB items on MAB SG future – see above AI 11**

- **Verbal update on ECCAIRS status:**

Following the Joint Research Centre decision to withdraw from the programme, EASA will take over their role via the transfer of responsibilities by the Commission. A new version of the ECCAIRS suite (ECCAIRS 2.0) will be developed. Since a lot of expectations are expressed, EASA will call for resource funding from the Commission.

Several MAB members requested that current IT functionalities/taxonomy be maintained and compatibility assured with the new version.

- **Medical Assessor**

The Dutch proposal received support from many MAB members, with a call to apply it on an even broader scale to inspector competences in all areas, and to use PBR.

- **European Strategic Coordination Platform - see AI 17 already mentioned on p. 9.**

- **Delay to applicability of Part-FCL UPRT provisions**

After the presentation, the Agency explained that this issue would be discussed at the EASA Committee meeting. Full support expressed for postponing the applicability of the UPRT provisions in Article 3(2) of Regulation (EU) 445/2015 to April 2019.



<p><b>Conclusion:</b> n/a</p> <p><b>Actions:</b></p> <p><b>24-2-2017:</b> The Agency to consider the point presented by Netherlands for the EASA inspector taskforce and in the on-going RMT.0287 reviewing ARA and ORA requirements (NPA planned Q3/2017). The Agency to inform MAB on the progress of the EASA inspector taskforce.</p>
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<b>18. Future events calendar</b>	
<p>The Agency presented the proposed dates of the MAB in 2018:</p> <p><b>20-22 February 2018</b> (on two of the three proposed dates)</p> <p><b>19-21 June 2018</b> (on two of the three proposed dates)</p> <p><b>9-11 October 2018</b> (on two of the three proposed dates)</p> <p>MAB members were asked to comment on the proposed dates, to see if there were any overlapping of important events. This might be the case for the EASA/FAA Safety conference. Also, it was still necessary to get the dates for the EASA Committee meetings from the Commission to be able to coordinate properly. It was also proposed to determine MAB Strategy group meeting dates.</p> <p>Actions:</p> <p><b>25-2-2017:</b> MAB to review dates of the proposed MAB meetings in 2018 to see if any overlaps with important meetings.</p> <p><b>26-2-2017:</b> Agency to propose next MAB SG meeting date.</p>	
Date and location of next meeting	Next meeting will be held on Thursday 21 and Friday 22 September.

<b>Closing DAY 2</b>	
<p>The Chair summarised shortly the main discussion items of the day, thanked Jean-Marc Cluzeau and Kai Bauer for their dedicated involvement at the MAB meetings and thanked the attendees for a fruitful meeting. <b>The meeting closed at 18.10h.</b></p>	
Date and location of next meeting	Next meeting will be held on Thursday 21 and Friday 22 September in Cologne.



List of actions from MAB meeting 1-2017 and previous (if needed): as at 18 07 2017				
Item	Action (What)	Responsible (Who)	Deadline (When)	Status (Optional)
5-2-2016 (MAB)	raise the issue of supervision of operation of aircraft registered in Third Country to the Commission	Agency	Before next meeting	Open.
11-1-2017	consult MAB on draft 'Horizontal rules' Roadmap in Q2 2017	Agency	Q2 2017	Closed, consultation launched.
12-1-2017	prepare a position paper for harmonised dissemination of safety information	Agency	Post-meeting	Closed, on agenda of next meeting.
13-1-2017	distribute approach to ex-post evaluations together with evaluation of Authority Requirements	Agency	Post-meeting	Closed, on agenda of next meeting
16-1-2017	share with MAB if possible its own ex-post evaluations undertaken	RO MAB member	By next meeting.	Closed, on agenda of next meeting
1-2-2017	test delivering meeting papers at least 2 weeks in advance of the meeting and to remove the agenda items for which papers are not delivered on time	Agency	For next meetings	Open.
2-2-2017	consider testing integration of questionnaires with NPAs and use CRT for feedback on quality	Agency	Q1 2018	Open.
3-2-2017	comment on IP 01 'Measuring quality of RM deliverables'	MAB	12 July 2017	Open.
4-2-2017	share with MAB the answer to AT MAB member on Alt MoCs and the related presentation given at OPS TeB	Agency	Post-meeting doc	Closed. Distributed with meeting minutes.
5-2-2017	provide Agency questions raised at OPS TeB regarding AltMoC	UK MAB member	Post-meeting doc	Open. To be sent as pre-meeting doc.
6-2-2017	consider publication of Art. 14 (4) decisions	Agency and Commission		Open.
7-2-2017	provide links to the authority webpages dealing with AltMoC publication	Member States	By next meeting.	Open.



8-2-2017	provide update of 'cost-sharing' Charter signatures	Agency	By next meeting.	Open. To be sent as pre meeting doc.
9-2-2017	promote 'cost-sharing' Charter and linked safety promotion activities via its GA webpage	Agency	By next meeting.	Open. To be sent as pre meeting doc.
10-2-2017	check legal status of oversight responsibility with its legal service for 'cost-sharing'	Agency	By next meeting.	Open. To be sent as pre meeting doc.
11-2-2017	review IP 02 on Cost sharing to reflect comments by MAB	Agency	Post-meeting doc.	Closed. Distributed with meeting minutes.
12-2-2017	give regular updates on FTL study at next MAB meetings <b>[Post-meeting note: Agency is considering that this items is moved to Air Ops TeB.]</b>	Agency	Continuing task	Open.
13-2-2017	share with MAB last SM TeB minutes relevant extract and to discuss AR at SM TeB	Agency	Before next SM TeB meeting	Partially Closed. See Annex 3 of draft MAB 2-2017 SoC.
14-2-2017	provide comments on WP 06a,b & 08	MAB	Before 1 Sept.	Open.
15-2-2017	provide SPO proposal for MAB comments <b>[Post-meeting note: Agency is considering that this items is moved to Air Ops TeB.]</b>	AT MAB member	Before 1 Sept.	Open.
16-2-2017	Comment WP01 EPAS Strategic priorities 2018-2022	MAB	By 12 July 2017	Open.
17-2-2017	include final policy on PBR on agenda of next meeting	Agency	On agenda of next meeting	Closed. On agenda of next meeting.
18-2-2017	provide draft 'GASP goals and targets for 2020-2022' paper to MAB for comments	Agency	30 August	Closed. Distributed with meeting minutes.
19-2-2017	MAB to provide comments on WP04 – EPAS+	MAB	By 1 Sept.	Open
20-2-2017	coordinate/prepare answer to SL 2017-54	Agency	By week 28	Closed. E-mail sent to MAB on 18 07 2017
21-2-2017	draft MAB SG ToRs in coordination with MAB SG rapporteur	Agency	By next meeting	Closed, on agenda of next meeting.



22-2-2017	seek nominations at Air Crew or MEG meeting for supporting the 'Age 60 study'	Agency	Before/at next Air Crew TeB/SteB/MeG	Open
23-2-2017	extend consultation of Art 16 Modular LAPL proposal to 7 July, to allow more MS to provide their comments/concerns. <b>[Post meeting note: CLOSED, extension e-mail sent 28.06.2017]</b>	Agency	Post-meeting action	Closed.
24-2-2017	consider the point presented by Netherlands for the EASA inspector taskforce and in the on-going RMT.0287 reviewing ARA and ORA requirements (NPA planned Q3/2017), and inform MAB on the progress of the EASA inspector taskforce.	Agency	Before next meeting	Open. To be sent as pre-meeting doc.
25-2-2017	review dates of the proposed MAB meetings in 2018 to see if any overlaps with important meetings	MAB	Before next meeting	Open
26-2-2017	propose next MAB SG meeting date	Agency	Before next meeting	Open





## Annex 1

### Acronyms used:

AB – Advisory Body  
ADR - Aerodromes  
AltMoc – Alternative Means of Compliance  
AMC – Accepted Means of Compliance  
AI – Action Item  
Air OPS – Air Operations  
AML – Aircraft Maintenance Licence  
AOB – Any Other Business  
AR – Authority Requirements  
ARA - Authority Requirements for Aircrew  
Art. - Article  
AT – Austrian  
ATCO – Air Traffic Controller  
AW – Airworthiness  
BASA – Bilateral Aviation Safety Agreement  
BR – EASA Basic Regulation  
CAT – Commercial Air Transport  
CAW – Continuing Airworthiness  
CCAB – Albert Borschette Congress Center  
CIRCABC – Communication and Information Resource Centre for Administrations, Businesses and Citizens  
COM – (European) Commission  
CRT – Comment Response Tool  
CS – Certification Specifications  
Dept. - Department  
DGAC-FR – Direction Générale aviation civile  
EAMR – European Aero-Medical Repository  
EASA – European Aviation Safety Agency  
ED – Executive Director  
EC – European Commission  
ECCAIRS – European Co-ordination Centre for Accident and Incident Reporting Systems  
EPAS - European Plan for Aviation Safety  
EPAS+ - interim update of EPAS  
ES – Spain  
ESCP – European Strategic Coordination Platform  
EU – European Union  
FAA – Federal Aviation Administration  
FATA – Federal Air Transport Agency (Russian)  
FCL – Flight Crew Licensing  
FI - Finnish  
FR – French  
FTL – Flight Time Limitations  
GA – General Aviation  
GANP – Global Air Navigation Plan (ICAO)  
GASP – Global Aviation Safety Plan (ICAO)  
GM – Guidance Material  
HEMS – Helicopter Emergency Medical Services  
IA – Impact Assessment



IAC – Interstate Aviation Committee  
IAW – Initial Airworthiness  
ICAO – International Civil Aviation Organisation  
IP – Information Paper  
IR – Implementing Rule  
IRE – Irish  
IT – Italian  
IT – Information Technology  
JAR – Joint Aviation Regulations  
LAPL - Light Aircraft Pilot License  
LBA – Luftfahrt Bundesamt  
LU - Luxemburg  
MAB – Member States’ Advisory Body  
MAB SG – MAB Strategy Group  
MB – Management Board  
MEG – Medical Experts Group  
MS – (EASA) Member States  
NAA - National Aviation Authorities  
NPA – Notice of Proposed Amendment  
OPS - Operations  
OR – Organisation Requirements  
ORA - Organisation Requirements for Aircrew  
PBR – Performance Based Regulation  
PIA – Preliminary Impact Assessment  
PL – Polish  
Prop. - Proposal  
RAG – Rulemaking Advisory Group  
Reg. – Regulation  
RO - Romanian  
RoPs – Rules of Procedure  
RMP – Rulemaking Programme  
RMT – Rulemaking Task  
Sept. - September  
SESAR – Single European Sky ATM Research  
SG – Strategy Group  
SL – State Letter  
SM – Safety Management  
SMS - Safety Management System  
SoD – State of Design  
SoM – State of Manufacturing  
SP – Safety Publications  
SPD – Single Programming Document  
SPO – Specialised Operations  
SSP/p – State Safety Programme/plan  
STeB – Stakeholder (technical) Body  
SWE - Swedish  
TeB – (Member States’) Technical (Advisory) Body  
ToR – Terms of Reference  
UAV – Unmanned Aerial Vehicle  
UK – United Kingdom  
UPRT - Upset Prevention & Recovery Training  
WG – Working Group



WP – Working Paper



## Annex 2

### List of Participants

Attendees	Ms	Karin	Puleo-Leodolter	Ministry of Transport	Austria
	Mr	Franz	Graser	Austrocontrol	Austria
	Mr	Marc	De Smet	Civil Aviation Authority	Belgium
	Ms	Eleonora	Dobрева	Civil Aviation Administration	Bulgaria
	Mr	Vítězslav	Hezký	Civil Aviation Authority, Czech Republic	Czech Republic
	Mr	Christian	Thorhague	Transport Authority	Denmark
	Mr	Nikolas	Jørgensen	Transport Authority	Denmark
	Mr	Jean-Jacques	Woeldgen	DG for Mobility and Transport, European Commission	EC - DG MOVE, E.4
	Ms	Susanna	Metsälampi	Transport Safety Agency	Finland
	Mr	Georges	Thirion	Direction Générale de l'Aviation Civile	France
	Ms	Carole	Lenck	Direction Générale de l'Aviation Civile	France
	Mr	Bertrand	Huron	Observer	France
	Mr	Thomas	Von Borstel	Luftfahrt Bundesamt	Germany
	Mr	Kristin Helga	Markusdottir	Transport Authority	Iceland
	Mr	Brian	Skehan	Aviation Authority	Ireland
	Mr	Marco	Silanos	ENAC	Italy
	Mr	Stephane	Vallance	Civil Aviation Administration	Luxemburg
	Mr	Carl	Tabone	Civil Aviation Directorate	Malta
	Mr	Bob	Rieder	Ministry of Infrastructure and Environment	Netherlands
	Mr	Jan Dick	Steenbergen	Observer	Netherlands



	Ms	Nina Beate	Vindvik	Civil Aviation Authority	Norway
	Mr	Marcin	Szczygieł	Civil Aviation Authority	Poland
	Ms	Rodica	Cazanciuc	Civil Aviation Authority	Romania
	Mr	Andrei	Filipoiu	Civil Aviation Authority	Romania
	Ms	Melita	Pristov	Ministry of Infrastructure	Slovenia
	Mr	José María	Ramírez Ciriza	AESA, Spanish Aviation Safety Agency	Spain
	Mr	Magnus	Molitor	Transport Agency	Sweden
	Ms	Francine	Zimmermann	Federal Office of Civil Aviation	Switzerland
	Mr	Fabian	Gysel	Observer	Switzerland
	Mr	Neil	Williams	Civil Aviation Authority	United Kingdom
	Mr	Peter	Green	EUROCONTROL	
	Mr	Mileta	Nikolic	Civil Aviation Agency	Montenegro
	Ms	Olja	Čokorilo	Civil Aviation Directorate	Serbia
<b>Apologies</b>	Mr	Kris	Clarysse	Civil Aviation Authority	Belgium
	Mr	Dirk	Sajonz	Luftfahrt Bundesamt	Germany
	Mr	Georgios	Sourvanos	Hellenic Civil Aviation Authority	Greece
	Mr	Gabor	Pongrácz	Ministry of National Development Civil Aviation, Maritime and Inland Navigation Dept.	Hungary
	Mr	Alessandro	Cardi	ENAC	Italy
	Mr	Adem	Karslıoğlu	Directorate General of Civil Aviation of Turkey	Turkey



Annex 3

Extract from draft SM TeB meeting minutes of 29-30 May 2017:

<p>03 - RMP Action area Safety Management - status of SMS related rulemaking – Preliminary Impact Assessment ‘SMS’</p> <p>Régine Hamelijnck - Nadezdha Ilieva</p>
<p>Régine HAMELIJNCK (RHA) presented the status of SMS related rulemaking. Nadezdha Ilieva (NILI) presented the Preliminary Impact Assessment (PIA) ‘Safety Management’.</p> <p>Open Floor:</p> <p>THE NETHERLANDS expressed their appreciation for the steps made regarding the roadmap for general AR and OR and asked whether this would include later on also the Authority- and Organisation Requirements coming from Regulation (EU) No 376/2014.</p> <p>RHA supported this stating it would be in line with the roadmap objectives. She added this would need the input of the EC. As we are now engaging in a long term process we should develop a vision on what the European equivalent to Annex 19 should look like. Frederik BLAAUW (EC) did not further comment at this stage as the point has not yet been raised with the EC.</p> <p>THE NETHERLANDS highlighted the importance of not having two parallel systems for reporting.</p> <p>NILI added that the roadmap consultation started recently, and that while an initial validation was made the Agency needs to launch more profound consultations with MSs, the industry and the EC. The May/June MAB meeting could be an opportunity for more focused discussion with the EC and see where there is room for synergies.</p> <p>Gian Andrea BANDIERI (GAB) stated that the regulations come from different sources and that the Agency is trying to align them in the Standardisation exercises. Discussions were initiated with the EC to add Regulation (EU) No 376/2014 into the scope of Standardisation and the EC confirmed that occurrence reporting in accordance with reg. (EU) No 376/2014 will be included into the scope of Standardisation. Inspections should start in 2018. GAB added that Annex 19 SSP will be ‘legalised’ with the new BR.</p> <p>IRELAND asked what type of comments are expected on a PIA in a timeframe of 4 weeks.</p>

<p>13 - Safety risk management as part of the Authority management system</p> <p>Dr. Thomas von Borstel - Luftfahrt-Bundesamt</p>
<p>Dr. Thomas von Borstel from Luftfahrt-Bundesamt (LBA) described the LBA’s Safety Risk Management Process that is required by ARA/ARO.GEN.200(a)(4). Since this process is a process to manage safety risks stemming from administrative work and not from operating aircraft, the ICAO matrix (combined with the ICAO taxonomy referring to the risk of aircraft operation) appears to be rather inappropriate for the risk assessment of an authority.”</p> <p>Open Floor:</p> <p>LUXEMBURG expressed their confusion on the use of internal occurrences. LUXEMBURG uses those where an accumulation of occurrences for a specific company is noticed. This can be then an indication that there might be a risk based oversight issue. GERMANY stated that if an accumulation of occurrences in a certain organisation is noted they do take it under consideration and will try to understand what their contribution is and how this should be considered during oversight.</p> <p>AUSTRIA asked for more clarification on the type of Risk Management the presentation referred to. “It is required that the authorities manage their risks but how do these occurrences relate to the authority’s own</p>



risk management?” GERMANY explained that if there are many occurrences in an organisation it could be an indication that something went wrong with the oversight activity as established by the authority.

THE NETHERLANDS commented that thousands of reports were received but the major question was whether the authorities had the right analysts on board.

DENMARK requested some more information on the ‘KSRM’ (in English: Safety Risk Management Coordinator), what kind of person is this, what are the type of competencies she/he has etc. GERMANY explains that the KSRM acts as an advisor to the senior management. The person who currently fulfils the role of the KSRM is an aeronautical engineer who spent several years in research projects with special regard to helicopters and who has received special training on quality management and safety management. He also is the alternate of the German SM TeB member.

AUSTRIA commented that SRM of the competent authorities should identify where the authority does not have the right people for a certain oversight task and/or area and should also look into possible training deficiencies.

