



European Aviation Safety Agency

## MINUTES OF MEETING

Subject AGNA Meeting 02-2010  
 Date 17<sup>th</sup> June 2010  
 Location Jugendherberge Cologne-Deutz

Organised by EASA

### List of Participants

	<b>AGNA Members</b>	<b>AGNA Observers</b>
<b>Attendees</b>	<b>Franz Graser</b> , Austro Control, Austria <b>Benoit van Nooten</b> , Civil Aviation Authority, Belgium <b>Eleonora Dobрева</b> , Civil Aviation Administration, Bulgária <b>Viktor Nath</b> , Civil Aviation Authority, Czech Republic <b>Georges Thirion</b> , Direction Generale de l'Aviation Civile, France <b>Susanna Metsälampi</b> , Civil Aviation Administration, Finland <b>Dirk Sajonz</b> , Luftfahrt-Bundesamt, Germany <b>Sotirakis Stamou</b> , Civil Aviation Authority, Greece <b>Sandor Herpai</b> , Civil Aviation Authority, Hungary <b>Einar Orn Hedinsson</b> , Civil Aviation Administration, Iceland <b>Brian Skehan</b> , Irish Aviation Authority, Ireland <b>Fabrizio D' Urso</b> , ENAC, Italy <b>Bob Rieder</b> , CAA-NL, Netherlands <b>Robert Zieliński</b> , Civil Aviation Office of Poland, Poland <b>José Silvério Rocha e Cunha</b> , INAC, Portugal <b>Manuel Sánchez Cano</b> , Spanish Civil Aviation Authority, Spain <b>Ingrid Cherfils</b> , Swedish Transport Agency, Sweden <b>Laurence Fontana-Jungo</b> , Federal Office of Civil Aviation, Switzerland <b>Graham Weightman</b> , Civil Aviation Authority, United Kingdom	<b>Rob Peters</b> , Eurocontrol, Belgium  <b>Experts or alternative attendees</b> <b>Vladimir Nekvasil</b> , Civil Aviation Authority, Czech Republic <b>Susanne Hofman</b> , Luftfahrt-Bundesamt, Germany <b>Erika Varga</b> , Civil Aviation Authority, Hungary <b>Terry O'Neill</b> , Irish Aviation Authority, Ireland <b>Declán Fitzpatrick</b> , Irish Aviation Authority, Ireland <b>Eugene, O'Suluwan</b> , Irish Aviation Authority, Ireland <b>Mara Dame</b> , Civil Aviation Agency, Latvia <b>Machteld Cambridge</b> , CAA-NL, Netherlands <b>Zuzana Jarozewiczova</b> , CAA Slovakia <b>Martin Marianic</b> , CAA Slovakia <b>José María Ramírez Ciriza</b> , Spanish Civil Aviation Authority, Spain <b>Stephan Eder</b> , Federal Office of Civil Aviation, Switzerland <b>Valerie Borer</b> , Federal Office of Civil Aviation, Switzerland <b>Angela Matthews</b> , Civil Aviation Authority, United Kingdom
	<b>Apologies</b>	<b>Ole Lynggaard</b> , Civil Aviation Administration, Denmark <b>Marve Allik</b> , Estonian Civil Aviation Administration, Estonia <b>Edgard Ginda</b> , Civil Aviation Agency, Latvia <b>Einar Schoelberg</b> , Civil Aviation Authority, Norway <b>Nikolai Tasev</b> , Civil Aviation Agency, Macedonia <b>Isabelle Welter</b> , Direction de l'Aviation Civile, Luxembourg <b>Martin Nemecek</b> , Civil Aviation Authority, Slovakia

<b>Agenda 2-2010</b>	
<b>1</b>	<b>Welcome introduction</b>
<b>2</b>	<b>Adoption of the agenda</b>
<b>3 For opinion</b>	<b>Adoption of the minutes of the previous meeting</b> <ul style="list-style-type: none"> <li>• Adoption of meeting 1-2010 minutes</li> <li>• Review of action table</li> </ul>
<b>4 For information</b>	<b>General introduction</b> <ul style="list-style-type: none"> <li>• Review of the Rulemaking process</li> <li>• Better regulation for general aviation</li> </ul>
<b>5 For information</b>	<b>4-year Rulemaking Programme 2010-2013</b> <ul style="list-style-type: none"> <li>• Update on 1<sup>st</sup> Extension</li> <li>• Update on 2<sup>nd</sup> extension</li> <li>• State of implementation of the 4-year Rulemaking Programme 2010-2013</li> </ul>
<b>6 For opinion</b>	<b>Draft 4-year Rulemaking Programme 2011-2014</b> <ul style="list-style-type: none"> <li>• Presentation of the approach followed for the establishment of the 4-year rulemaking programme 2011-2014</li> <li>• Explain the link between the Agency's 4-year rulemaking programme to the SES, SESAR and Volcanic Ash regulatory roadmaps</li> <li>• Framework for giving the lead to stakeholders on certain rulemaking tasks</li> <li>• Recommendations from AGNA members on tasks to be deleted, advanced or postponed</li> <li>• AGNA opinion on the draft 4-year Rulemaking Programme 2011-2014</li> </ul>
<b>7 For information</b>	<b>Feedback on implementation of EASA rule</b>
<b>8 For information</b>	<b>AOB</b> <ul style="list-style-type: none"> <li>• Planning of future meeting</li> <li>• Transition planning for the FCL and OPS rule implementation</li> <li>• Commercial Flying with falsified license</li> </ul>

MoM prepared by	Athanasios Tziolas	Date	Signature
MoM reviewed by		Date	Signature

## 1. Opening and Welcome

The Chair welcomed the participants, followed by a round de table.

## 2. Adoption of the Agenda

The following agenda items were requested by Members and added under AOB:

- Presentation of the conclusions and outcome of the comments review, including the content of the new text of the medical requirements contained in the CRD FCL-MED
- Article 83 bis
- Regulation 736/2006 on OPS and FCL
- Update from the French member on DGAC workshop on OPS and FCL
- Status on exemptions - Article 14 of the Basic Regulation

Conclusion/Action: N/A

## 3. Adoption of minutes 1-2010 minutes and review of action table

The minutes of the 1-2010 meetings were agreed with changes suggested by:

- Austrian Member recommended that on page 4, point 3 the word "drastically" should be deleted.
- UK Member suggested changes to page 5 with regard to "focal points" which were duly noted.
- Austrian Member proposed reformulating the text to page 5 with regard to "Flight Testing".
- French Member suggested following addition to page 7 "supported the UK position. He expressed his appreciation for the good work...".
- The following sentence was added under AOB – future meetings "It was discussed and requested by the AGNA members that workshops to the following areas are necessary (at the moment):
  - AMC
  - CRD on FCL - CRD
  - CRD on MED – CRD
  - CRD on OPS
  - CRD on AR/OR CRD
  - CRD on OSD"

Review of action table

1-1-09: Dealt as part of NETS project. The Agency suggested closing this action point. If not handled it will be reopened at later stage. All agreed. France requested more clarification on review group. The Agency will make a presentation on the subject at a later stage in the meeting. Action Closed.

3-1-09

to

3-6-09: Agreed keeping action open until publication of NPA TCO.

- 3-7-09: It was reported that the adopted and published 4-year Rulemaking Programme 2010-2013 took into account feedback from consultative bodies. Action closed.
- 3-8-09: Germany informed that paper was provided on 26<sup>th</sup> May. Action closed.
- 1-1-10: Germany will come back on this issue in the course of the meeting. Action closed.
- 1-2-10: Agency will come back to this request under AOB "planning future meeting". Action closed.
- 1-3-10: Action open.
- 1-4-10: The list of ongoing studies is currently published as part of the EASA fact book published on the Agency website. Action closed.
- 1-5-10: Agency received comments from certain Members. Action closed.
- 1-6-10: The action will be addressed in today's meeting. Any feedback will be taken into account to finalise the programme in July. Action closed.

**FINAL**

Conclusion/Action:	N/A
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#### 4. General introduction

##### ▪ **Review of the Rulemaking process**

A presentation was given on the new development touching the Rulemaking Process. It was explained that the activity is taking place at the request of the Management Board. Indeed, due to backlog on the production of rules and the limited resources it was deemed necessary to review the process. The review group aims at shortening and improving the efficiency of the process. Further logistical details surrounding the function of the group were also given.

It was further explained that once the group submits a proposal, the paper will also be submitted to AGNA and SSCC for review. Final implementation is scheduled for 2012.

The main principles on which the review will be based are:

- Balance NAA and industry interest.
- Use NAA and industry expertise.
- Sustain the maintenance work related to the rule.
- Maintain quality of interaction between stakeholders and rules.
- Retain flexibility in the rulemaking process.

##### ▪ **Better regulation for general aviation**

To propose better regulation for general aviation, the Agency explained that the following initiatives were taken:

- Development of EU light aircraft process. Will offer a simplified regulatory regime and should be available in 2010.
- Development of new license for engineers working on non-complex aircraft, NPA was published on December 2009.
- New task regarding Basic Regulation will provide improvement for ELA. The task will start in the third quarter of 2010.
- Increased cooperation with FAA and TCCA on ELA, LSA, part-23 / CS-23.
- Development of LAPL
- Rulemaking task FCL.008, "a more accessible instrument qualification" for Private Pilot License holders.
- Nomination of focal points for general and business aviation.
- Organising workshops and meetings.
- More need of data and analytical information.
- Rulemaking handbook filtering and sorting rules.
- Revision of SSCC composition.
- Dedicated websites.

Comments made by AGNA Members and responses given by EASA:

- The Swiss Member was surprised to see that General Aviation/Business Aviation was put together whilst in the OPS rules there is a clear separation between complex/non-complex aircraft. The Agency responded that indeed the focus of this paper was recreational aviation because it is the entry point for other aviation activities.
- German Member commented that the impression is that the paper deals with airworthiness aspects but does not mirror the OPS rules. The Agency clarified and recognized that the paper should be reviewed to include OPS initiative. Further, it was explained that stakeholders should await the results of the CRD OPS that is going to simplify the rules for General Aviation compared to what was presented in the related NPA.

- French Member asked for clarification on the Agency's collaboration with ESSI and its different subgroups ECAST, EGAST and EHAST, and the link with rulemaking activities. The Chair will pass request to "Safety Analysis & Research" who could make a presentation on the issue at a next AGNA meeting.
- The Swiss Member commented regarding focal points and requested a list of EASA's focal points. The Agency responded that it had communicated the names of the two EASA focal points on General aviation and SMEs through a letter to AGNA members.

FINAL

Conclusion/Action:	1. The Agency will deliver a presentation on ESSI and its subgroups, and the link to rulemaking activities at a next AGNA meeting.
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## 5. Draft 4-year Rulemaking Programme 2010-2013

- Update on 1st and 2nd extension
- State of implementation of the 4-year Rulemaking Programme 2010-2013

The Agency explained the background of IP01 that was a combination of a paper submitted to the MB for informing on progress on the 1<sup>st</sup> and 2<sup>nd</sup> extension, with an overview of rules production on Environment and Product safety. The Agency informed that all ATM fast track opinions have been published and that all tasks of the programme are currently on track.

### Comments:

- A Member asked whether the EASA workshop on ATM opinions on 24<sup>th</sup> June was open to everybody, which was confirmed by the Agency.
- 31.004 Tethered gas balloons: The Dutch Member asked whether the proposal is to have them considered as annex 2 aircraft. He considers this a better and safer option. In such a case the remit is under national law and decisions making will be made at NAA level. The Agency responded that the classification as annex 2 or not depends on few factors like the weight of the balloon.

FINAL

Conclusion/Action:

N/A

## 6. Preparation of the 4-year Rulemaking Programme 2011-2014

- Presentation of the approach followed for the establishment of the 4-year rulemaking programme 2011-2014

Was not further discussed as it was already reviewed and presented in the March meeting. Agency invited members to provide further comments on the draft procedure.

- Explanation of the link between the Agency's 4-year rulemaking programme to the SES, SESAR and Volcanic Ash regulatory roadmaps

It was explained that the impact on the rulemaking activities of SESAR, SES II, Performance Review Board, Network Management Function, etc. is not yet reflected in the programme. They need to be determined after discussion with the Commission and the SESAR Joint Undertaking.

Furthermore, the volcanic ash incident also has had an impact on the Rulemaking Programme. It was reported that the Agency is actively involved on the matter and its impact on the rulemaking activities will be further clarified.

### Comments:

- Austria informed AGNA on workshop planned in Moscow on volcanic ash on Q3 2010 and suggested sending further information on the workshop. The Agency noted this event and reported on upcoming activities related to the subject. To keep everybody informed all information will be posted on a dedicated part of the EASA website.
- The EUROCONTROL representative asked if there was now a common understanding on what is safety regulation and non-safety regulation before prioritising. The Agency response was that it has a clear idea on the difference and therefore started to identify the areas that might have an impact on rulemaking activities. The challenge is to organise the different parties involved in these developments in order to deliver all rules in time.
- French Member enquired on the following points:
  - a. He wished to receive feedback on ADR ToRs for Aerodromes. Will the ToR be submitted before it is published? The Agency informed that it has received comments on the ToRs. Most valuable feedback came from France and UK, whilst limited comments from other parties. Most comments have been addressed and it is expected to publish the final TORs shortly. The rulemaking groups are balanced and the aim is to have the 1<sup>st</sup> meeting in July.
  - b. Also what would be the process now that the fast track ATM opinions are published? The Agency response was that the existing rulemaking groups will be used for carrying out the work that was not covered by the fast track opinions. A change of the related ToR might be considered if the task differs from the initial scope and once it has clarity on the ATM priorities stemming from the various initiatives (see previous point). All related information will be made available to AGNA.
- UK Member requested clarification on the term "on hold" referred to in the task BR.004? The Agency responded that the task was progressed up to the NPA but no further action will be taken. Further, the Agency recalled that most of the Rulemaking on Environment is taking place at ICAO level.
- The Dutch Member thanked the Agency for the new approach indicating the changes in the rulemaking programme, though he wished to see the reason of the change included in the draft programme. He further commented that the link between priorities and ranking list is not clear. Also, the task FCL.004 on crew relief should be brought forward. The Agency responded that regarding the ranking list the comment was noted and will be addressed in a next revision of the process which will take place this summer. Furthermore, the ability to include the reasons would reduce usability and readability of

the sheet.

- Austrian Member appreciated the separation in packages and informed that written comments were submitted. He requested avoiding duplication of tasks (MDM tasks) as noted in the programme. The Agency response was that there is indeed no duplication of task but a multiple approach to a task as some cut across many areas. So, they are simply mentioned in the different departments. A further enquiry was made: What is the link between EASA Form 1 and ATM? This was noted as a clerical mistake and will be removed from the final version of the programme.
- UK Member advised the Agency to communicate the ATM priorities well in advance to enable the different organisations to coordinate their plans.

▪ Medical Fitness of Pilots and Cabin crew

The Agency provided an update on the progress of the task "medical fitness of pilots and cabin crew", and explained that the CRD MED will carry:

- Explanatory note A – NPA 2008 – 17c
- Explanatory Note b- NPA 2009 – 02e
- Resulting text

Then some statistics on comments were announced and issues considered as contentious were highlighted

Comments:

- The Agency agreed with German Member request to upload the presentation on CIRCA.
- Austrian Member thanked the Agency for the presentation and the good work done.

▪ Framework for giving the lead to stakeholders on certain rulemaking tasks

A presentation on the possible input of stakeholders on certain rulemaking tasks was given by the Agency. It was reported that the presentation was also given to the SSCC. The aim of the presentation is to outline scope and impact in outsourcing certain rulemaking tasks. The objective is also to initiate a debate and to gather ideas.

The main question of this exercise is: Can industry be given the lead in performing certain tasks (mainly certification specification) for the Agency? The Agency gave examples where the industry supported the Agency and which was seen as a positive exercise, such as EUROCAE NPA to ETSO and OSTIC.SDP with NPA CS-22.

The question is of greater interest now that there is an imbalance between the number of tasks in the programme and resources available within the agency to meet the requirements.

Therefore the Agency's proposal is that such endeavour be taken respecting the broad principles outlined in the presentation. If approved by the consultative bodies, then the Agency will take all related steps to implement this proposal. Reactions from AGNA were invited.

Comments:

- UK Member commented that the approach is good. But questioned the element of control of a task. Agency responded that the element of control is in the fact that the Agency is the originator of the task that might be performed by a professional organisation as well as the controller of the task (EASA can correct the NPA and CRD at any time).
- Finnish Member questioned if the initiative originated from EASA? Agency explained that the initiative was prompted by a request of the Management Board to propose solutions to meet the current high work load.
- Austrian Member supported the idea. He enquired if there was a preselected list of tasks that could be covered under this scheme. Agency indicated that no official list has yet been drafted. But two tasks are currently considered regarding AMC material

for “engines” and the “open rotor” task. The first one perfectly fits with the scheme proposed, whilst the second one is a complicated issue and might need further review. Austrian Member asked: When the method is implemented will it include NAA? Agency responded that the working method is “Agency” but that the bodies might set up a group. It must also be considered that the scheme is in its infancy and it will be a learning process. It is important to start testing it as soon as possible. The principle is already accepted and now there needs to be more elaboration to implement the idea.

- French Member supports the initiative as it helps Agency meet its objectives.
- Greek Member enquired if EASA will train people in EASA process? Agency said that it will look into those aspects since related training is already in place for rulemaking staff that could be used in the scheme.
- German Member asked whether the rules will be in the public domain, and the rules should be enforceable. The Agency responded that access to certain rules may attract a modest fee like is the case for ASTM rules. The idea is that bodies will be able to work on AMC, GM, CS as they are non-binding Agency rules.

- Recommendations from AGNA members on tasks to be deleted, advanced or postponed

No further recommendations were made as part of this point.

- AGNA opinion on the draft 4-year Rulemaking Programme 2011-2014

The French Member commented on :

- What the hook is between AOR and the Basic Regulation? The Agency responded: The Basic Regulation is not only the legal base for adoption by the Commission of rules for the competent authorities, these rules are essential for reaching the objectives of the Basic Regulation, namely to establish and maintain a common, high level of aviation safety in Europe. Therefore, common application of EU law in the Member States (MS) can only be ensured through common requirements made to all CAAs in the MS. The Agency is bound to this political parameter and thus proposes rules for the competent authorities. Rules of this type already exist since 2003 in other areas to which the Basic Regulation applies, without having been questioned so far. Furthermore, the Subsidiarity principle, which does not apply to implementing Regulations, was respected by the Legislator while adopting the Basic Regulation. Therefore, the Agency can not bypass this principle and propose rules that would again allow the Member States to adopt rules at national level for their authorities. Nevertheless, the Agency will consider and examine all comments concerning NPA 2008-22 AOR which would suggest that a single proposed rule exceeds the goals of the Basic Regulation.
- Task 145.017 concerns suppliers and there have been some issues with airlines that maintain the engines in different countries by different suppliers, leading to confusion about the origin of certain part of the engine. He suggested limiting the scope of this task or issuing a bulletin on “EASA Form 1” to clarify its use. The Agency clarified that the initial intent of the task was to give more guidance to maintenance organisations in using EASA Form 1, and that in such case it does not refer to the airworthiness of a component. The Agency said that it would look at this aspect and clarify the terms of reference. Speeding up the task is a matter of priority. The minutes of the standardisation meeting on the subject should be enough as guidance in the meantime for AGNA, whilst for industry the Agency will clarify this point in an FAQ to be published on EASA website

Conclusion/Action:	<ul style="list-style-type: none"> <li>2. The Agency to distribute the minutes of the Standardisation meeting concerning task 145.017 – EASA Form 1 to AGNA</li> <li>3. The Agency to publish an FAQ on task 145.017 and link with EASA Form on the EASA website.</li> </ul>
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<b>7. Agenda Item: Feedback on implementation of EASA rule</b>	
Will be kept for a future meeting and members should forward their points to the Agency.	
Conclusion/Action:	N/A

<b>8. Any Other Business</b>	
<ul style="list-style-type: none"> <li>▪ Planning of future meeting <ul style="list-style-type: none"> <li>➤ UK Member suggestion for changing dates from Thursday to Friday to Wednesday 16<sup>th</sup> to Thursday 17<sup>th</sup> March 2011 was supported by AGNA.</li> <li>➤ Regarding future workshop. There will be two central workshops that are linked with the publication of CRDs. There will be no workshop on FCL due to timescale, lack of substance and resources. There will be a workshop on AR/OR around the 20<sup>th</sup> and 21<sup>st</sup> of October. It will be confirmed on EASA Website. For Air operations there will be a workshop in November on Commercial air operations. No need for the time being for workshops on the other packages.</li> </ul> </li> </ul> <p>Comments made by members:</p> <ul style="list-style-type: none"> <li>➤ German Member suggested that a workshop on GA complex aircraft would be useful as the rules are new to Germany and there is an urgent need for information. Agency would be able to organise a regional workshop on the subject under the auspices of LBA.</li> <li>➤ Swiss Member commented that a workshop on non-complex / non-commercial aircraft would be useful as it is new for stakeholders. Agency indicated that the feedback from the rulemaking group that handled the comments shows that main issues are solved and a full day workshop is therefore not seen as necessary.</li> <li>➤ Portuguese Member stressed that EASA role is not only limited to rulemaking but has a major role to play on communication. The Agency invited the NAAs to collaborate in the communication exercise by also sharing information received from EASA to all foreseen as being concerned.</li> <li>➤ German Member stressed the necessity for standardisation to be involved in this process. The large groups are catered for but the small groups are not. The Agency insists that a combined effort is necessary in the years to come. This will be discussed at a next AGNA meeting.</li> <li>➤ Greek Member suggested organising EASA workshops at general aviation conference and Expositions to reach more people.</li> </ul> <ul style="list-style-type: none"> <li>▪ Transition planning for the FCL and OPS rule implementation <ul style="list-style-type: none"> <li>➤ UK Member asked how the Agency is coordinating the transition measures. The Agency explained this would be done through a phasing, the reason being that the stakeholders can not digest all CRD and opinions at the same time. The Agency tries to ensure sufficient overlap between related issues. The EASA committee role is to review the draft rules of the various packages and this is the platform where a full picture will be given. Concerning transition measures. At the last EASA committee the Member states expressed that they need sufficient transition periods and not to change all regulation at the same time.</li> <li>➤ French Member was in support of UK's position. It should be considered that the CRDs will be published a few weeks before the publication of the opinion, this is not necessarily acceptable. And after EASA Committee, NAAs will be asked to accept a draft rule without having the full picture. The Agency responded that the EASA Committee will have the opportunity to review and discuss the resulting text to the CRD well in advance of the publication of the opinion.</li> </ul> </li> </ul>	

- Commercial Flying with falsified license

- The Swedish Member gave a background on a particular rogue pilot case and submitted to AGNA the issue for discussion. She asked the following questions: How to communicate findings across member states? How to improve the quality of licence to impede forgery?
- Belgium Member commented that there is an obligation in JAR to transmit a document to the concerned authority. The rule exists and should simply be implemented. The NAAs should adhere strictly to the rule.
- Greek Member signalled a similar case, explained the process of licensing and highlighted the loophole on the renewal of license given that it is given by an examiner. It also makes it difficult to track the person. Need for cooperation among authorities and legal actions against offenders.
- German Member agreed with Belgium Member statements.
- Dutch Member concurred that there is no need for further rules, though an initiative should be taken to increase the "security" requirements for issuing the license.
- Spanish Member explained their process for renewal of licenses in and how the authenticity can be verified.
- Austria indicated that a database of licenses would be useful but recognised the administrative burden.

The Chair concluded that no further rules are needed but the quality of the document should be looked at by individual NAAs.

- Article 83bis

- The Agency indicated that it would provide a summary paper of the strategic discussion on "article 83 bis". A letter will also be sent to AGNA requesting comments from members on experience with the implementation of the Article by the end of September. The comments will be looked at to prepare a paper and then the paper will be submitted to the lease companies to solicit their views. The findings will be communicated in future AGNA meeting in 2011.
- The Agency confirmed that it had received the documents from Austria on the subject and promised to look into it.

- Status on exemptions - Article 14 of the Basic Regulation

- The Agency informed that following the inputs from AGNA Members at last thematic meeting, it has worked on an internal exemption procedure as well as on the exemption template. The Commission has also been consulted on the overall process. As a result, the Agency will post on CIRCA a note on the subject for AGNA comments, which includes the following items:
  - the new exemption notification template, and encourage its use.
  - some process proposals will be given in order to improve the workflow of information between NAAs, EC/EFTA and the Agency.
  - Finally, a definition of "repetitive exemption" will be proposed.

- Regulation 736/2006 on OPS and FCL

German Member introduced the topic and said that it falls outside the scope of EASA as there is no legal basis for this task. French and Austrian Member were in support of this view. The Agency responded that the working approach was defined and agreed by the Management Board, and that this was communicated to Member States. To address the issue, it was recommended that the concerned Members should submit their concern to the Management Board. Hence, the Agency reluctance to address the issue in the AGNA meeting.

- DGAC France workshop on OPS and FCL on 4<sup>th</sup> June in Paris

The following points were covered in the workshop. It had participants from UK, Norway, Sweden, Netherlands, Austria, Switzerland, Luxemburg, Czech Republic, European Commission, EASA and DGAC France.

### **1 ) collaborative oversight**

Member States do not support at all the idea that they shall include within their national surveillance plan the surveillance of the organisations/people they did not certify and have activities on their territories.

### **2) proportionality/flexibility**

The requirements should be more "tailored" to the size of the organisations (especially for the very small ones), and for the recreational activities.

### **3) fractional ownership**

Member States would prefer more technical constraints on this activities (refer to a ECAC DG meetings where some FAA material were proposed to deal with) .

### **4) cover regulation/transition period/grandfather rights**

Should be very flexible to allow enough time for all the stakeholders to implement in good conditions those new rules

### **5) FTL OPS 055**

No change or a minimum of change from present EU OPS Subpart Q regulation unless supported by safety concerns and for the article 8 activities accept the rules already implemented by the Member States.

Comments made to the European Commission:

Is there any information point on the definition of commercial operations? EC's response: currently there is no new information on the question. Regarding local flights, EC is finalising a draft decision for a derogation based on EU-OPS that will address the issue of commercial flight performed by aero clubs that should cover those needs. The paper should be sent to Member States before adoption. In parallel, EC has asked EASA to work on a proposal for proportionate rules and the issue would be discussed within the context of the implementing rules.

Austrian Member requested that the presentations were distributed in such a way that working group would have the information; French Member answered that they were provided.

Conclusion/Action:	<ol style="list-style-type: none"><li>4. The issue of a combined effort between NAAs and EASA in communicating the regulatory framework to stakeholders to be discussed at one of the next meetings</li><li>5. The Agency to send letter to AGNA requesting comments from members on experience with the implementation of the article 83bis.</li><li>6. The Agency to handle feedback from AGNA on article 83bis and prepare paper that will be submitted to the lease companies to solicit their views.</li><li>7. The Agency to communicate findings on article 83bis in a future AGNA meeting in 2011.</li></ol>
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## **9. Closing**

The Chair thanked everyone for attending. The meeting closed at 12:41.

Conclusion/Action: N/A

**List of actions:**

Item	Action (What)	Person Responsible (Who)	Deadline (When)	Status (Optional)	Comments
1-1-09	Consider how best to deal with existing rules and making changes to them, in order to avoid inconsistencies, as part of the improved drafting of rules initiative	Agency	ASAP	C	
3-1-09	Review the working terms "Flight Authorisation" and "Operational Authorisation"	Agency	ASAP	O	This action remains open until the publication of the NPA on TCO
3-2-09	Review the impact of 83bis agreements on Part-TCO;	Agency	ASAP	O	This action remains open until the publication of the NPA on TCO
3-3-09	Evaluate the way Third Country Operators (TCO) related information could be disseminated to Member States;	Agency	ASAP	O	This action remains open until the publication of the NPA on TCO
3-4-09	Assess the oversight instruments for TCO Over Flights and link it with the NAAs and EUROCONTROL	Agency	ASAP	O	This action remains open until the publication of the NPA on TCO
3-5-09	Review requirements for Member States and guidance for the issuing and oversight of pilot authorizations;	Agency	ASAP	O	This action remains open until the publication of the NPA on TCO
3-6-09	Take Cooperative Oversight for TCO into account.	Agency	ASAP	O	This action remains open until the publication of the NPA on TCO

1-3-10	Share paper on matrix classifying commercial/non-commercial organisations.	German member	ASAP	O	
2-1-10	Deliver a presentation on ESSI and its subgroups, and the link to rulemaking activities at a next AGNA meeting.	Agency	At next meeting	O	
2-2-10	Distribute the minutes of the Standardisation meeting concerning task 145.017 – EASA Form 1	Agency	ASAP	O	
2-3-10	Publish an FAQ on task 145.017 and link with EASA Form 1 on the EASA website.	Agency	ASAP	O	Linked to action 2-2-10
2-4-10	The issue of a combined effort between NAAs and EASA in communicating the regulatory framework to stakeholders to be discussed at one of the next meetings	Agency	At a next meeting	O	
2-5-10	Send letter to AGNA requesting comments from members on experience with the implementation of the article 83bis.	Agency	ASAP	O	
2-6-10	Handle feedback from AGNA on article 83bis and prepare paper that will be submitted to the lease companies to solicit their views.	Agency		O	Linked to action 2-5-10

2-7-10	Communicate findings on article 83bis in a future AGNA meeting in 2011.	Agency		O	Linked to action 2-5-10
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Next meeting:
The next meeting is arranged for 17-18 November 2010 at 00:00 hrs in .....

FINAL