



The European institutional framework



The Principles

- The **Community** acts as a **legislator**, while **Member States apply** Community law under Community supervision
- Legal remedies for individuals and enforcement means are provided by Member States judicial systems
- The **Commission** may be delegated strictly defined **executive powers**, including the setting up of binding standards



The Principles

- A **Community Agency** may be delegated the **application of Community law**, in particular the assessment of conformity with binding standards
- The exercise of such powers shall be subject to the necessary political and judicial supervision



Tasks and Actors

→ **Legislative level :** The Parliament and the Council

✦ establishing legal framework

→ **Executive level :** The Member States

✦ setting up binding standards

✦ assessing conformity to standards

The Commission

The Agency

The Industry

→ **Judicial level :** The national Courts

✦ enforcement/remedies The European Court of Justice



The Regulatory framework



The Basic Regulation

- The **Parliament** and the **Council** define the **Scope of Powers** transferred to the Community
- They adopt the **Essential Requirements** specifying the objectives to be met

Basic Regulation
Regulation (EC) 1592/2002 of 15 July 2002

**Annex I : Essential
Requirements for Airworthiness**

Annex II : Excluded Aircraft



The Implementing Rules

→ The **Commission** adopts **standards** for implementing the essential requirements

Regulation (EC) 1702/2003 on Airworthiness and Environmental Certification

Annex (Part 21)

Section A: Application Requirements

Section B: Administrative Procedures

Appendices: EASA forms

Regulation (EC) 2042/2003 on Continuing Airworthiness

Annex I (Part-M):
Continuing Airworthiness Requirements

Section A: Technical Requirements

Section B: Administrative Procedures

Appendices: EASA forms

Annex II (Part-145):
Maintenance Organisation Approvals

Annex III (Part-66):
Certifying Staff

Annex IV (Part-147):
Training Organisation Requirements



The Agency's soft laws

→ The **Agency** adopts **non binding standards** for implementing the essential requirements

**Guidance
Material**

Part 21

**Certification
Specifications**

AMC 20
AMC 21

CS 25	CS AWO	CS 22
CS 34	CS ETSO	CS 23
CS 36	CS Definitions	CS 27
CS E		CS 29
CS P		CS VLA
CS APU		CS VLR

**AMC &
Guidance
Material**

Parts M, 145,
66, 147



European Aviation Safety Agency

The Agency's procedures adopted by the MB

- Rulemaking procedure : 27/06/2003**
- Outsourcing policy**
- Accreditation procedure**
- Organisations certification procedure :
03/02/2004**
- Products certification procedure :
30/03/2004**



The Agency's remit

- Currently the Basic Regulation establishes Community competence only for the regulation of the **airworthiness** and **environmental compatibility of products**
- Work is being done to extend the scope of this regulation to **air operations** and **flight crew licensing**
- Ultimately it could also cover the safety regulation of **airport operations** and **air traffic control services**



The Sharing of Tasks



The Agency's roles

- **Development of common rules : Basic Regulation and Implementing Rules**
- **Adoption of material for the application of common rules (airworthiness codes, interpretative and advisory material)**
- **Issuing type certificates (TC, STC,...) and organisations approvals (DOA and third countries POA, MOA...) and ensuring related continued oversight**



The Agency's roles

- Monitoring the application of rules by Member States and recommending to the Commission the necessary enforcement actions**
- Assistance to the EU in the form of technical expertise**
- Acting as focal point vis-à-vis third countries and international organisations for the harmonisation of rules and the recognition / validation of certificates**



European Aviation Safety Agency

The Member States NAA's roles

- ➔ **Providing expertise as appropriate for rulemaking and certification tasks**
- ➔ **Issuing individual airworthiness certificates and approvals to organisations and personnel in their territory (except DOA)**
- ➔ **Taking action on a case by case basis if so required to ensure safety or appropriate operational flexibility**



The sharing of roles

Standards Certificates

→ **Airworthiness/Environment**

✦ Type certificate	Agency/EC	Agency
✦ Design organisation approval	Agency/EC	Agency
✦ Other Individual certificates	Agency/EC	NAA

→ **Maintenance**

✦ Non EC country	Agency/EC	Agency
✦ EC country	Agency/EC	NAA



European Aviation Safety Agency

The Member States obligations

➔ **The Community being a supranational organisation, Member States may no longer :**

- ✦ issue their own rules
- ✦ deviate from common rules
- ✦ impose additional requirements
- ✦ conclude arrangements with third countries



The Organisation



Our organisation

Executive Director
Patrick Goudou

Policy officers

Safety analysis & research

Communication Manager

Q&S Director
Francesco Banal

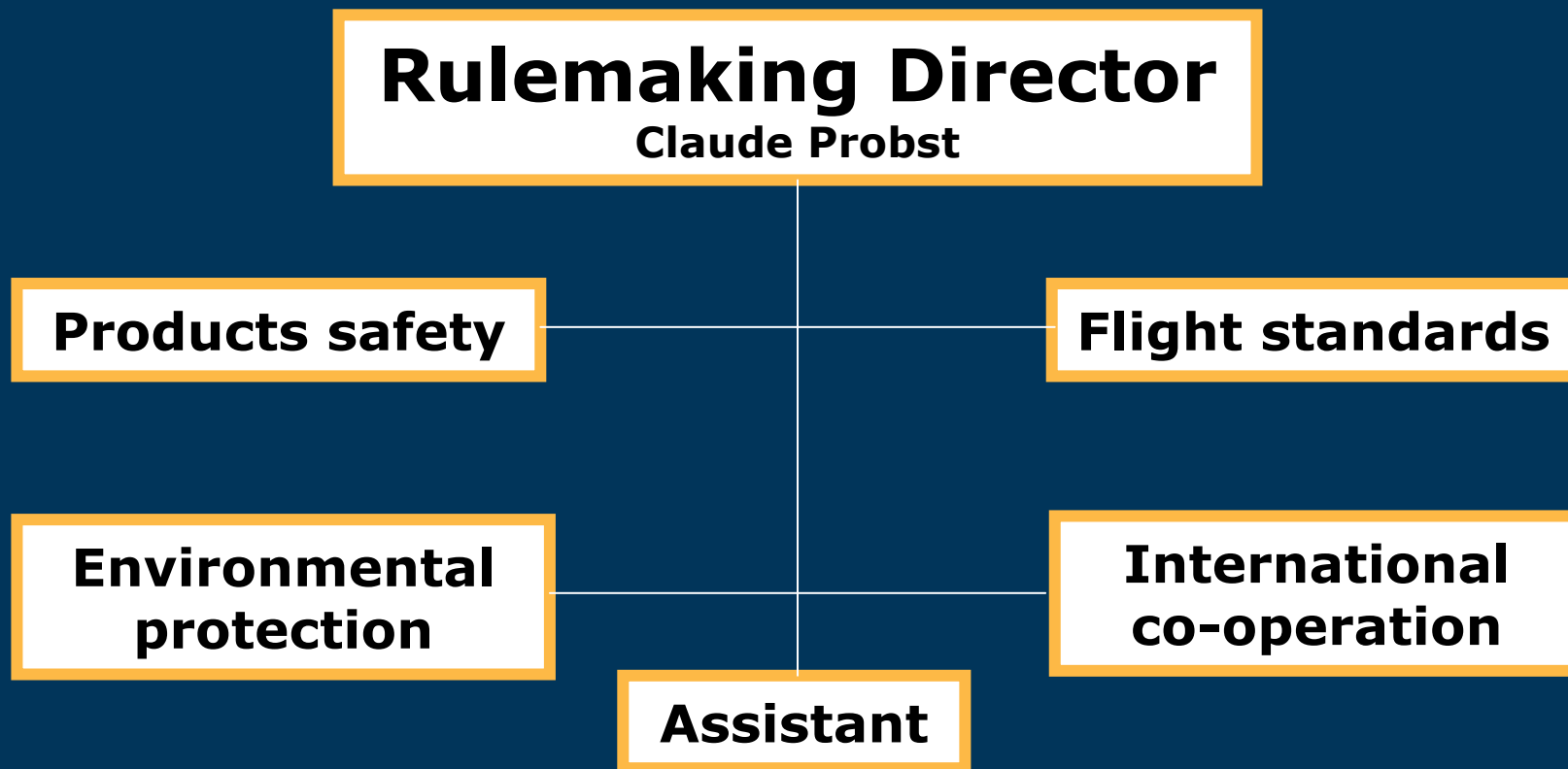
Administrative Director
Markku Junkkari

Rulemaking Director
Claude Probst

Certification Director
Norbert Lohl



Rulemaking





The Work



How we work today

→ Rulemaking

- ✦ The Agency's procedures are in operation
- ✦ The JAA work programme is taken over by the Agency

→ Certification

- ✦ Certificates and approvals are signed by the Agency
- ✦ Certification experts are joining the Agency
- ✦ Temporary service contract with CJAA signed
- ✦ Temporary outsourcing contracts with NAAs about to be signed



How we are going to work

➔ In the forthcoming months and years

- ✦ The Agency takes over the tasks internally in parallel with its staff growth
- ✦ The contracts are phased out accordingly