



EASA

European Aviation Safety Agency



AERODROMES WORKSHOP Podgorica, Montenegro 6 – 7 November 2014

Conversion of certificates, Implementation of ADR rules

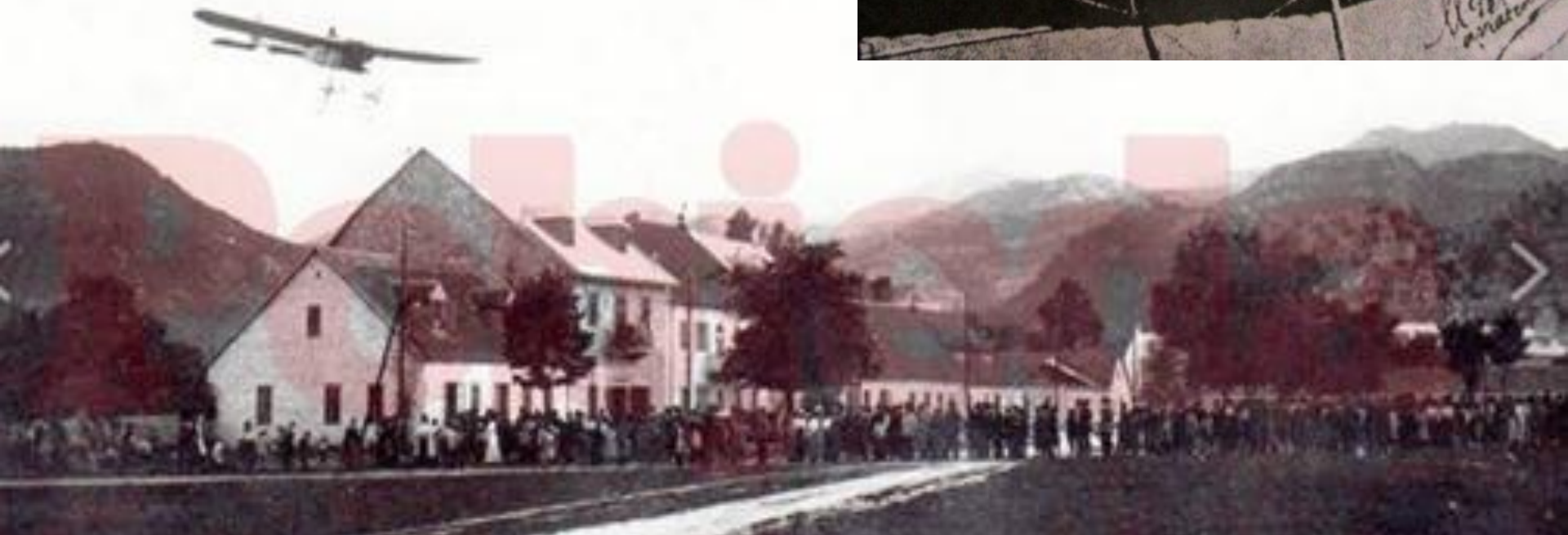
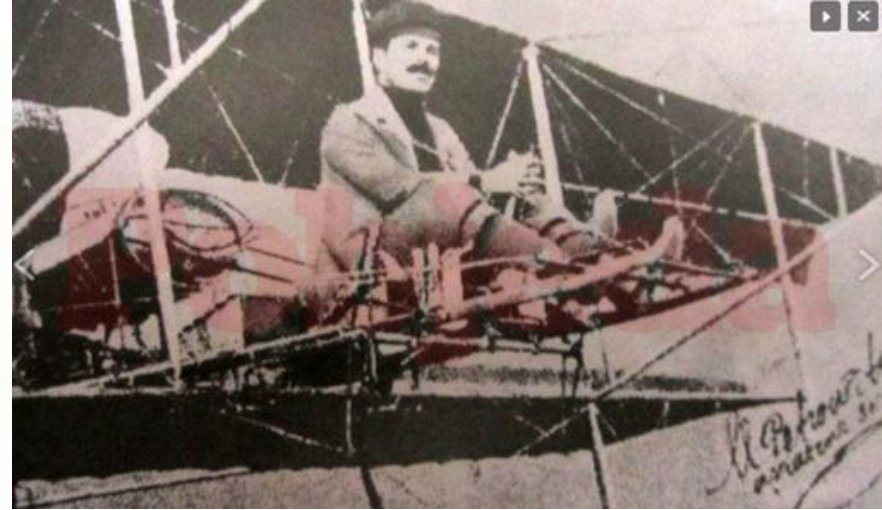
Predrag SEKULIC, Airports Regulations Officer

Your safety is our mission.

An agency of the European Union 

TE.GEN.00409-001

Congratulations!

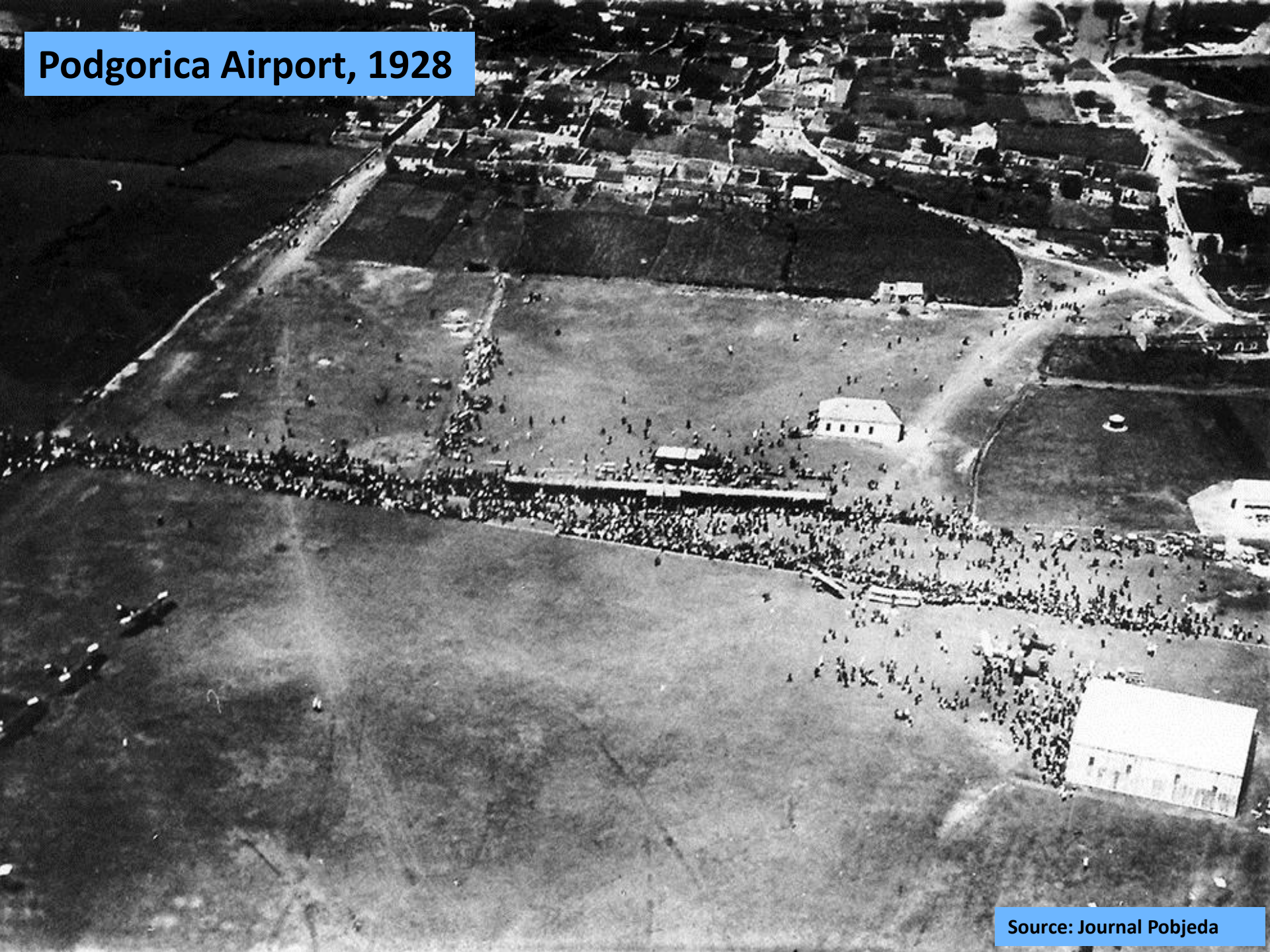


100 (+1) ANNIVERSARY OF AVIATION IN MONTENEGRO

The first Airport in Montenegro: Nearly one decade after the first flight of Wright Brothers, the first flight in Montenegro has been performed on 5 September 1913 at Obilic field near Cetinje.

Source: Journal Pobjeda

Podgorica Airport, 1928



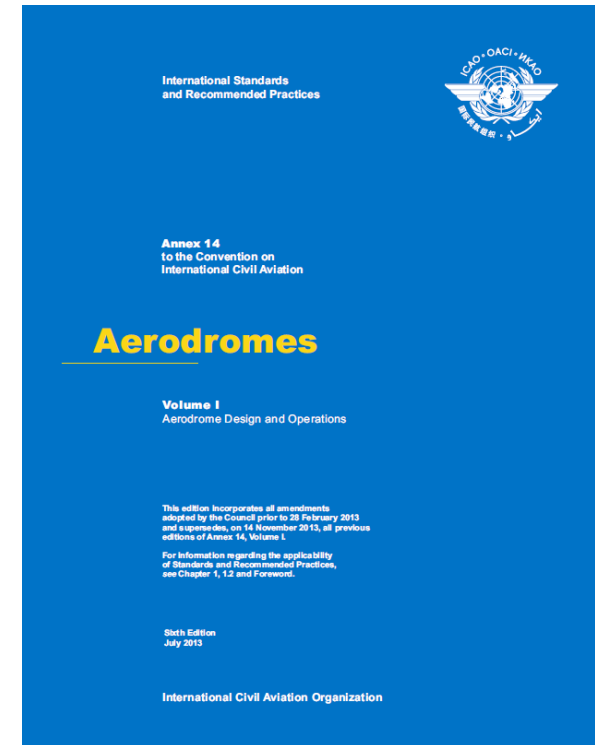
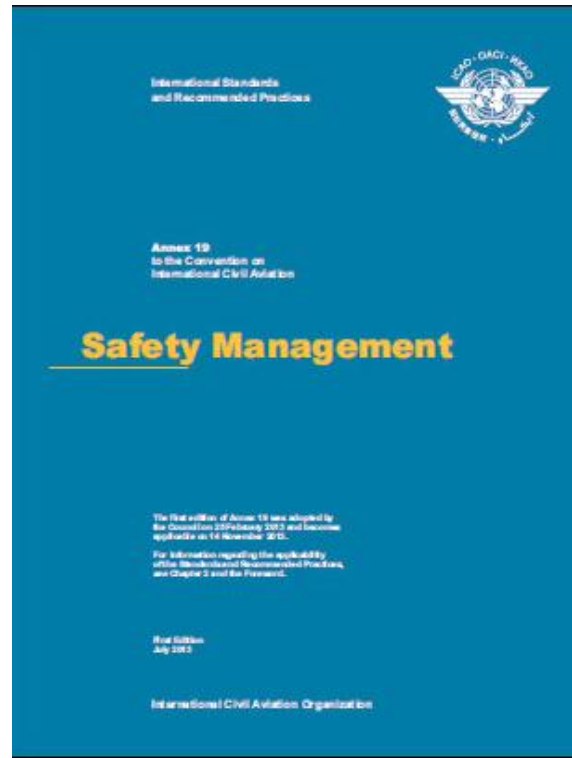
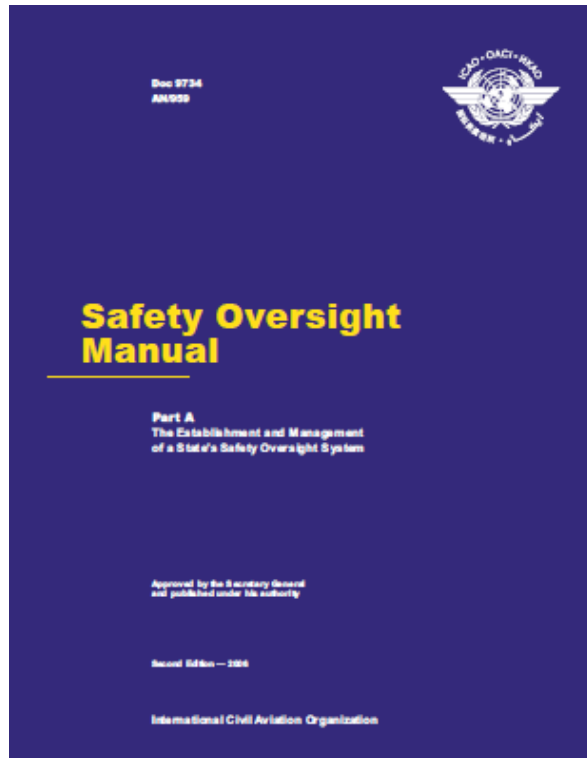
Podgorica Airport, today





A State's Safety Oversight System (ICAO Doc 9734)

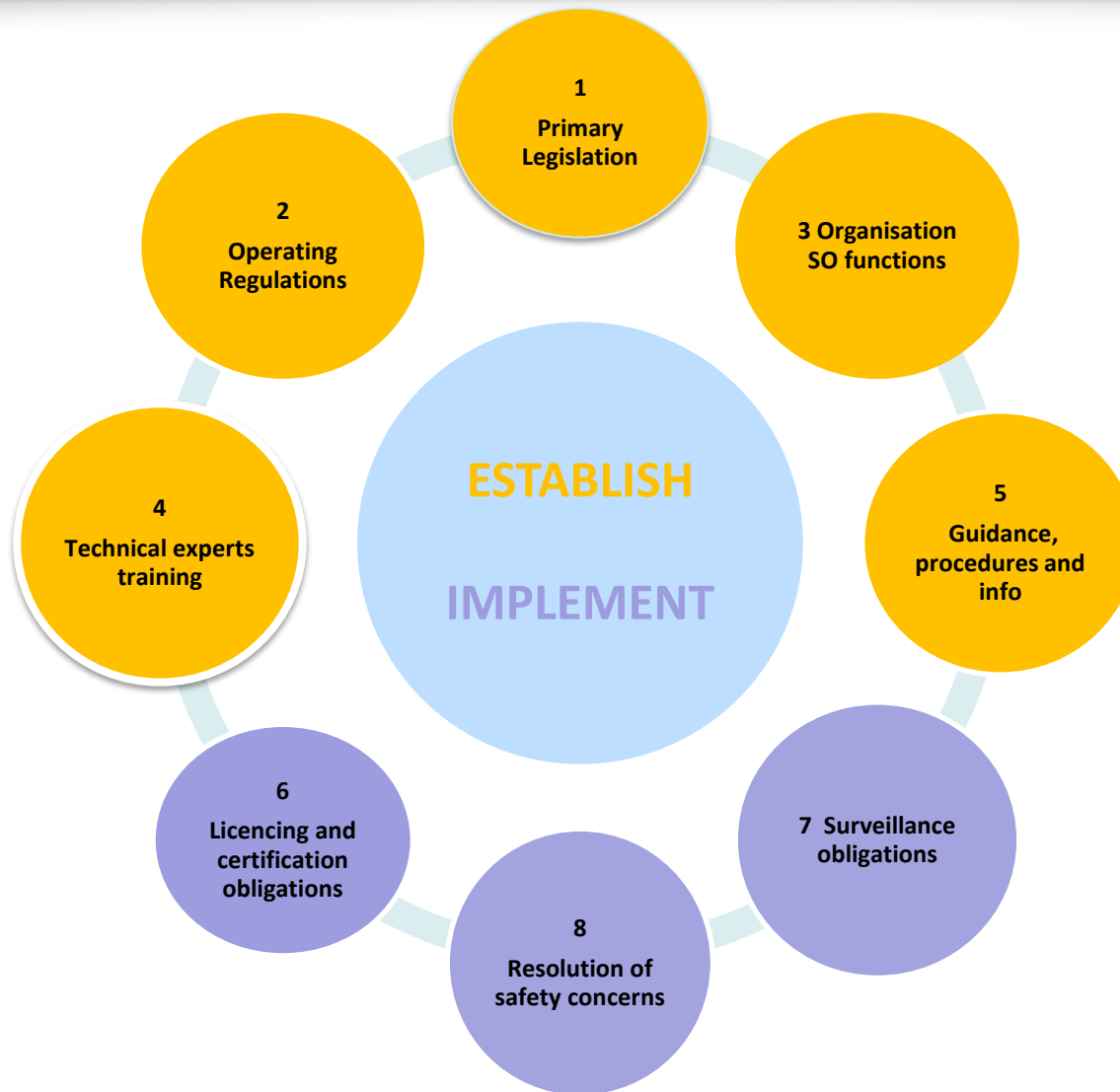
Annex 14 and Annex 19 & State Oversight System





A State's Safety Oversight System

(ICAO Doc 9734)





A State's Safety Oversight System

(ICAO Doc 9734)

1
Primary
Legislation

CE-1 Primary aviation legislation

- Primary legislation is needed to enable a State to supervise and regulate its civil aviation activities.
- It may contain high level requirements, for items such as aerodrome development, certification and operation requirements, safeguarding, allocation of responsibilities etc.

6
Licencing and
certification
obligations

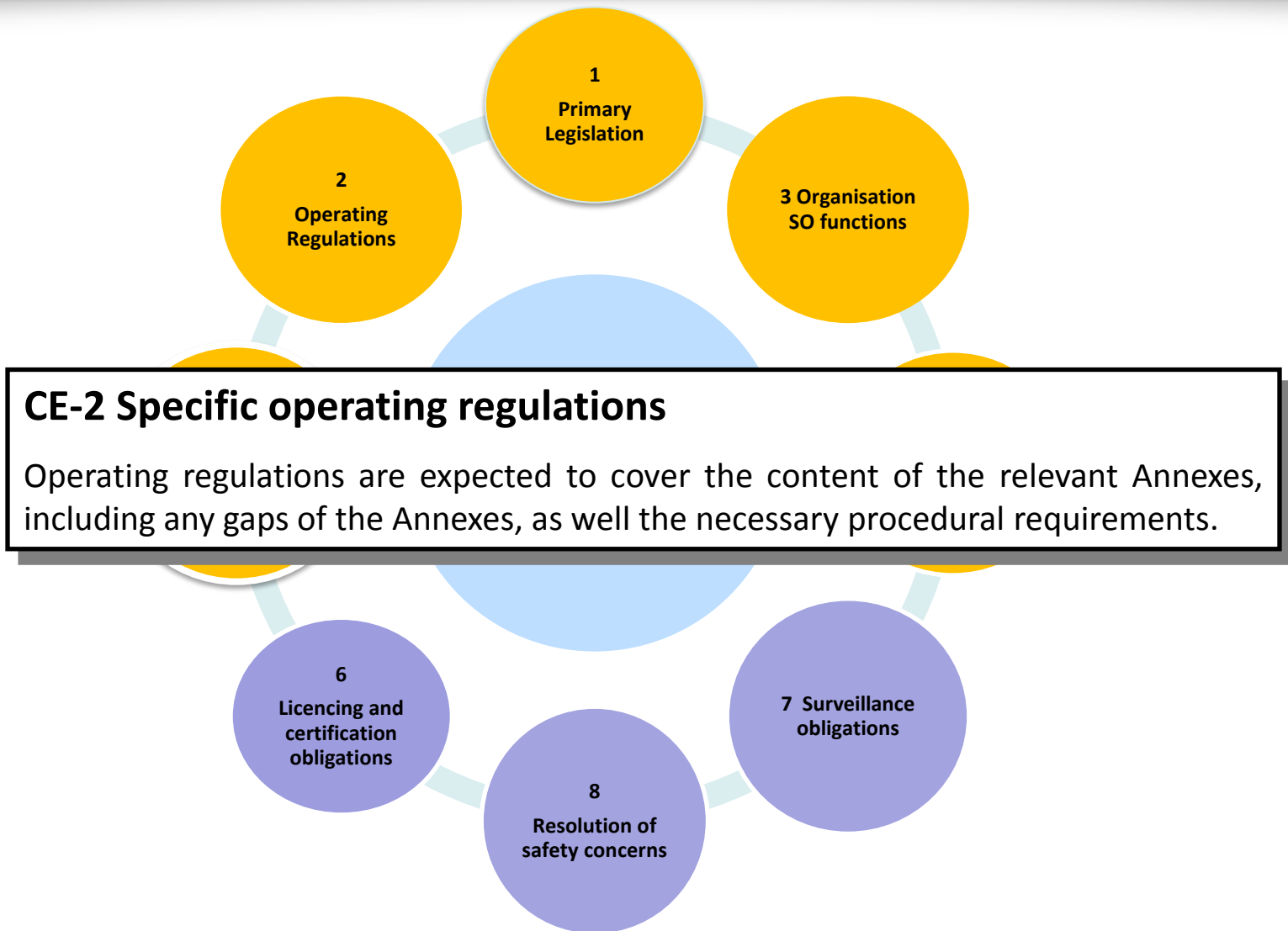
8
Resolution of
safety concerns

7 Surveillance
obligations



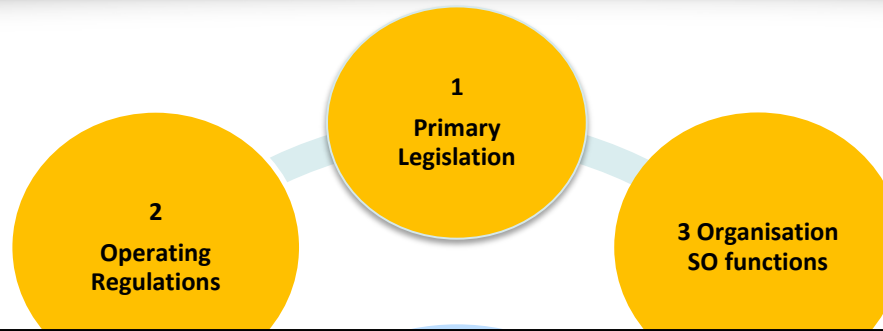
A State's Safety Oversight System

(ICAO Doc 9734)





A State's Safety Oversight System (ICAO Doc 9734)



CE-3 State civil aviation system and safety oversight functions

Development of a civil aviation system, legally and otherwise enabled to fulfil all necessary tasks:

- clear responsibilities; distinction and separation of responsibilities between SO organisation and operators;
- appropriate organisation and management;
- appropriate resources, including qualified and authorised technical personnel





A State's Safety Oversight System

(ICAO Doc 9734)





A State's Safety Oversight System (ICAO Doc 9734)

1
Primary
Legislation

CE-5 Technical guidance, tools and provision of safety-critical information

•Provision of:

- technical guidance (including processes and procedures);
 - tools (including facilities and equipment);
 - safety-critical information,
- to competent authority technical personnel to enable them to perform their duties.
- Moreover, provision of technical guidance by the competent authority to the industry to facilitate its compliance with the requirements.

8
Resolution of
safety concerns



A State's Safety Oversight System (ICAO Doc 9734)

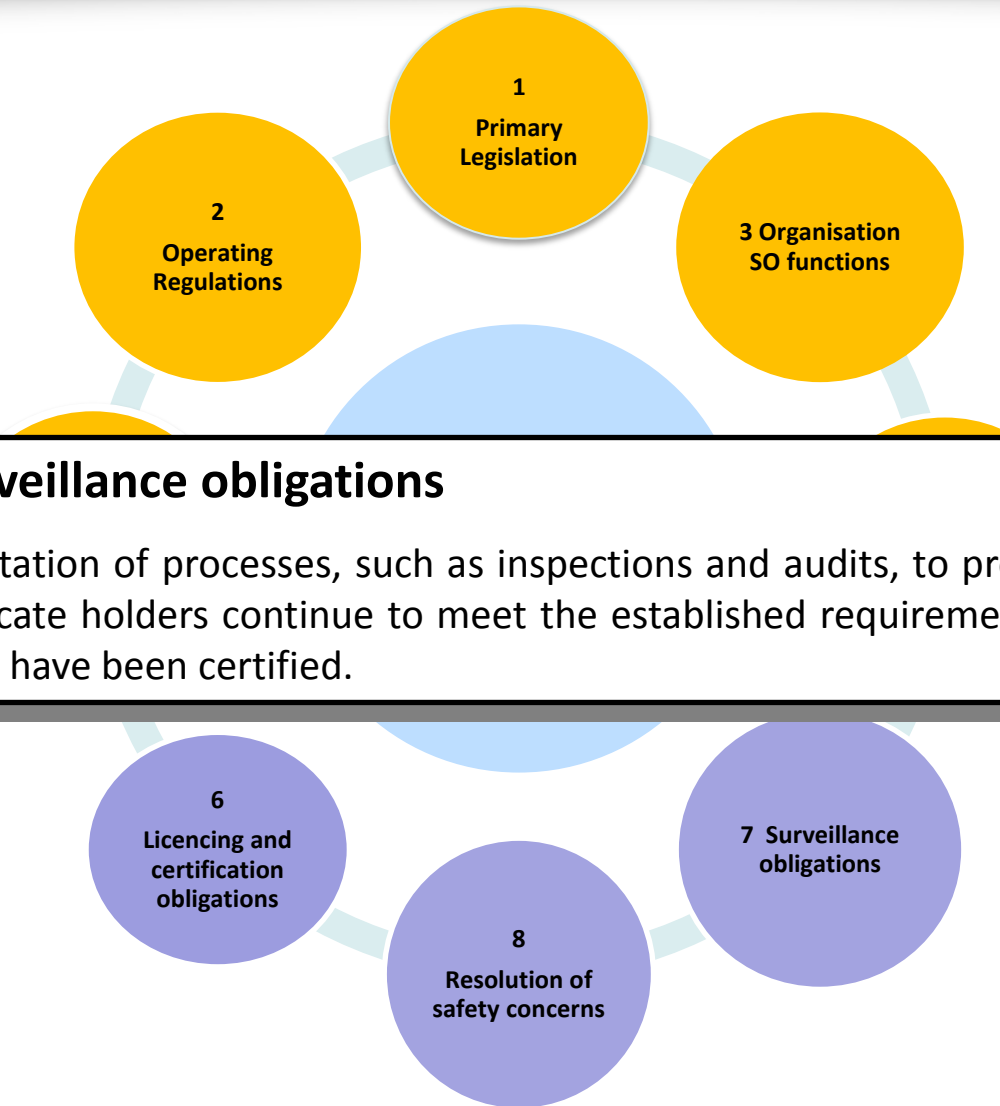


CE-6 Licensing, certification, authorisation and approval obligations

•Implementation of processes and procedures to ensure that aerodrome operators and relevant personnel meet the established requirements before they are allowed to exercise the privileges associated with their certificate.



A State's Safety Oversight System (ICAO Doc 9734)

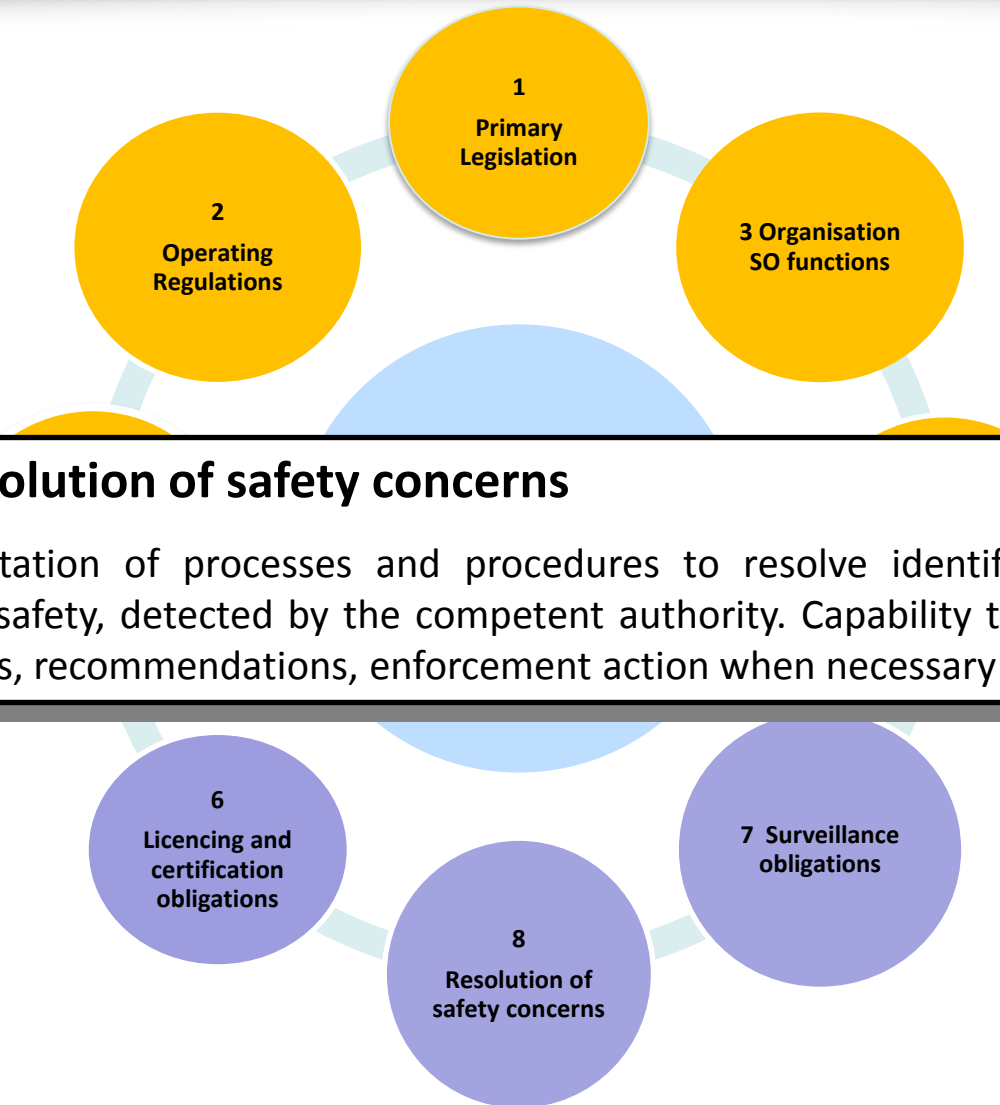


CE-7 Surveillance obligations

•Implementation of processes, such as inspections and audits, to proactively ensure that certificate holders continue to meet the established requirements according to which they have been certified.



A State's Safety Oversight System (ICAO Doc 9734)



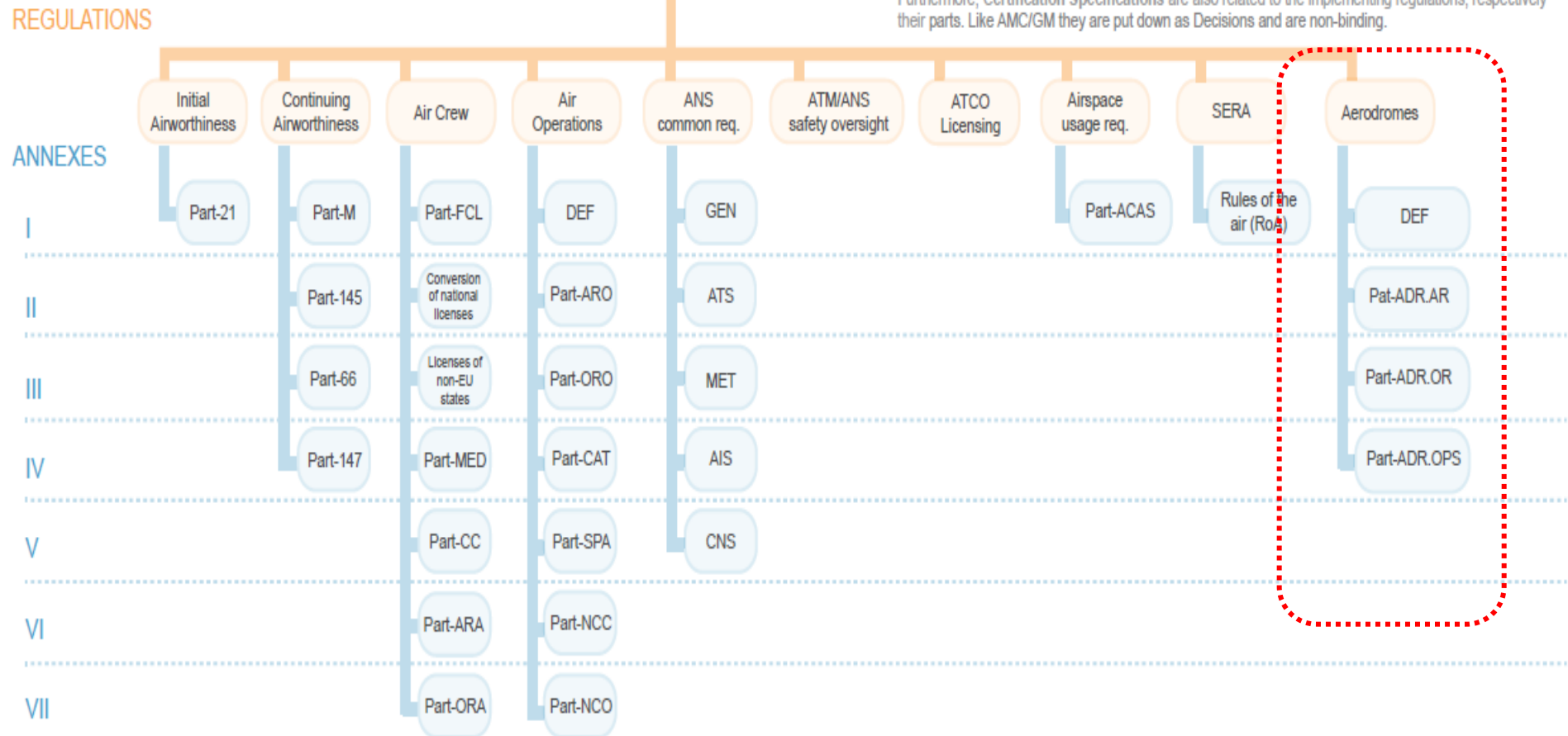


Current regulations structure

Regulations Structure

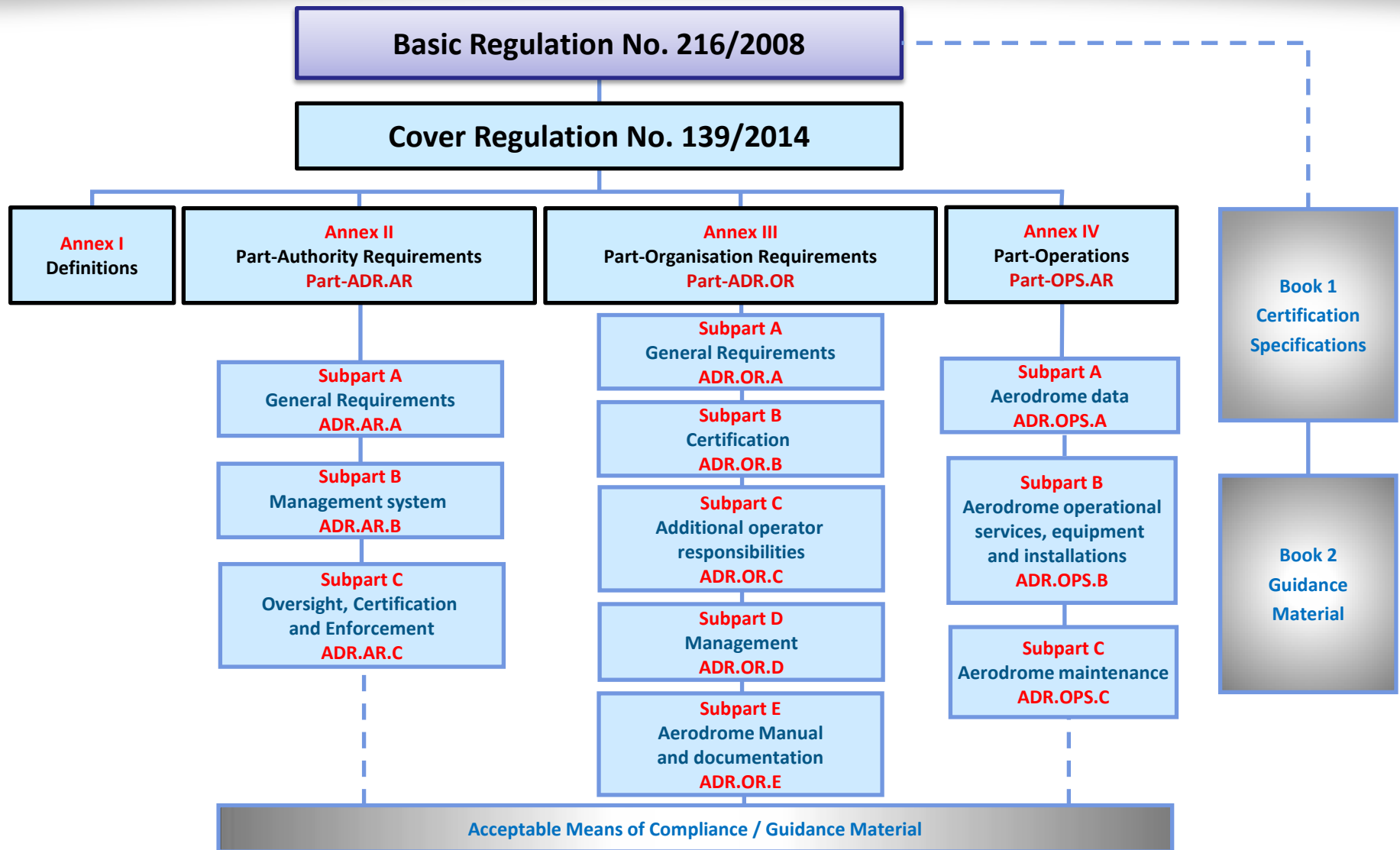
Each Part to each implementing regulation has its own Acceptable Means of Compliance and Guidance Material (AMC/GM). These AMC and GM are amended along with the amendments of the regulations. These AMC/GM are so-called 'soft law' (non-binding rules), and put down in form of EASA Decisions. A comprehensive explanation on AMC in form of questions and answers can be found on the FAQ section of the EASA website..

Furthermore, Certification Specifications are also related to the implementing regulations, respectively their parts. Like AMC/GM they are put down as Decisions and are non-binding.





Structure of the rules





From BR to the IR's in 139/2014 to AMC/ GM

24.11.2009 EN Official Journal of the European Union

REGULATION (EC) No 1108/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 October 2009 amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management services and repealing Directive 2006/21/EC (Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 60(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee⁽¹⁾,

Having regard to the opinion of the Committee of the Regions⁽²⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty⁽³⁾,

Whereas:

- (1) In its communication of 15 November 2005 to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions entitled 'Extending the tasks of the European Aviation Safety Agency — an agenda for 2010', the Commission announced its intention to progressively extend the tasks of the European Aviation Safety Agency (the Agency), with a view towards a 'total system approach', to aerodromes/airport safety and interoperability, air navigation services (ANS) and air traffic management (ATM).
- (2) The continuous growth of aviation in Europe leads to many challenges, in particular regarding the key safety factors of aerodromes and ATM/ANS. Therefore, necessary risk mitigation measures need to be established to ensure safety through a harmonised, holistic regulatory approach across the Member States.

⁽¹⁾ OJ C 122, 4.2.2009, p. 50.

⁽²⁾ OJ C 130, 22.2.2009, p. 42.

⁽³⁾ Opinion of the European Parliament of 25 March 2009 (not yet published in the Official Journal) and Council Decision of 7 September 2009.

⁽⁴⁾ OJ L 34, 21.3.2004, p. 1.

14.2.2014 EN Official Journal of the European Union

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 139/2014 of 12 February 2014

laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

design and safe operation of aerodromes pursuant to Article 8a(3) before 31 December 2014

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC⁽¹⁾, amended by Regulation (EC) No 1108/2009⁽²⁾, and in particular Article 8a(5) thereof,

Whereas:

- (1) Regulation (EC) No 216/2008 aims at establishing and maintaining a high uniform level of civil aviation safety in Europe.
- (2) The implementation of Regulation (EC) No 216/2008 requires the establishment of detailed Implementing Rules, in particular concerning the safety regulation of aerodromes, in order to maintain a high uniform level of civil aviation safety in the Union while pursuing the objective of an overall improvement in aerodrome safety.
- (3) It requires the Commission to adopt the necessary Implementing Rules for establishing the conditions for the

⁽¹⁾ OJ L 226, 26.8.2008, p. 1.

⁽²⁾ OJ L 82, 29.3.2009, p. 5.

European Aviation Safety Agency

Acceptable Means of Compliance (AMC) and Guidance Material (GM)

to

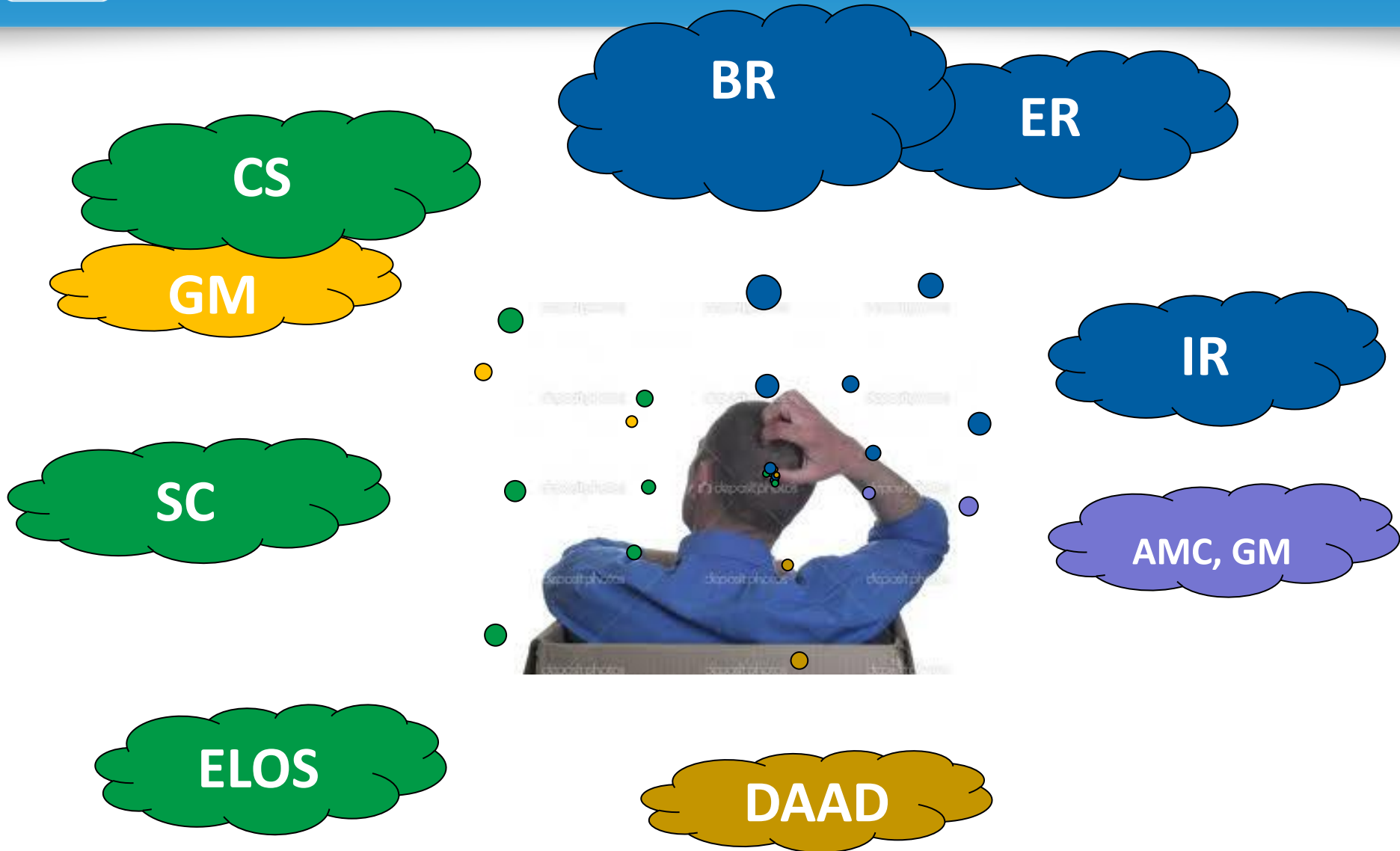
Authority, Organisation and Operations Requirements for Aerodromes

Initial Issue
27 February 2014¹

Where to find this?

<http://www.easa.europa.eu/easa-and-you/aviation-domain/aerodromes?page=relevant-legislation-for-aerodromes>

On the day of entry into force of this Amendment, kindly refer to Decision 2014/012/R in the Official Publication of the Agency.





Regulation 139/2014

Article 6

Conversion of certificates

1. **Certificates** issued by the Competent Authority **prior to 31 December 2014** on the basis of national legislations **shall remain valid** until they are issued in accordance with this Article, or if no such certificates are issued, **31 December 2017**.
2. **Before** the end of the **period specified in paragraph 1**, the Competent Authority shall issue certificates for the aerodromes and aerodrome operators concerned, if the following conditions are met:
 - (a) the **certification basis** referred to in Annex II has been established using the certification specifications issued by the Agency, including any cases of equivalent level of safety and special conditions which have been identified and documented;
 - (b) the certificate holder has **demonstrated compliance** with the certification specifications which are different from the national requirements on which the existing certificate was issued;
 - (c) the certificate holder has demonstrated compliance with those requirements of Regulation (EC) No 216/2008 and its Implementing Rules which are applicable to its organisation and its operation and which are **different from the national requirements** on which the existing certificate was issued.



Regulation 139/2014

Article 6 (cont.)

3. By way of derogation from paragraph 2 point (b), the Competent Authority **may decide to waiver demonstration** of compliance if it considers that this demonstration creates an excessive or disproportionate effort.
4. The Competent Authority shall **keep records**, for a minimum period of five years, of the documents related to the conversion of certificates procedure.



Regulation 139/2014

Article 7

Deviations from certification specifications

1. The Competent Authority may, until **31 December 2024**, accept applications for a certificate including deviations from the certification specifications issued by the Agency, if the following conditions are met:
 - (a) the deviations **do not qualify as an equivalent level of safety** case under ADR.AR.C.020, nor qualify as a case of special condition under ADR.AR.C.025 of Annex II to this Regulation;
 - (b) the deviations **existed prior** to the entry into force of this Regulation;
 - (c) the essential requirements of Annex Va to Regulation (EC) No 216/2008 are respected by the deviations, supplemented by mitigating measures and corrective actions as appropriate;
 - (d) a supporting **safety assessment** for each deviation has been completed.



Regulation 139/2014

Article 7 (cont.)

2. The Competent Authority shall compile the evidence supporting the fulfilment of the conditions referred to in paragraph 1 in a **Deviation Acceptance and Action Document (DAAD)**. The DAAD shall be attached to the certificate. The Competent Authority shall specify the period of validity of the DAAD.
3. The aerodrome operator and the Competent Authority **shall verify** that the conditions referred to in paragraph 1 continue to be fulfilled. If such is not the case the DAAD shall be amended, suspended or withdrawn.



Regulation 139/2014

Article 11

Entry into force and application

1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.
2. **Competent Authorities** involved in the certification and oversight of aerodromes, aerodrome operators and apron management service providers shall comply with the requirements laid down in Annex II to this Regulation **before 31 December 2017**.
3. Annexes III and IV shall apply to aerodromes certified in accordance with Article 6 from the date of issuance of the certificate.
4. Aerodromes whose certification procedure was **initiated before 31 December 2014**, but have not been issued with a certificate by this date, shall only be issued a certificate when they comply with this Regulation.
5. Point ADR.AR.C.050 and point ADR.OR.B.060 of Annexes II and III to this Regulation, shall apply from the date on which the Implementing Rules regarding the provision of apron management services enter into force. Point ADR.AR.A.015 of Annex II and point ADR.OR.A.015 of Annex III shall apply to providers of apron management services from the date on which the Implementing Rules regarding the provision of apron management services enter into force.



How to convert certificate of a certified airport:

- Plan time and staff needed, authority & operator
- Establishment of Certification Basis (CB)
- Demonstration of compliance
- Avoid duplication, focus on new elements
- Timeframe, until 31 December 2017
- Keep records

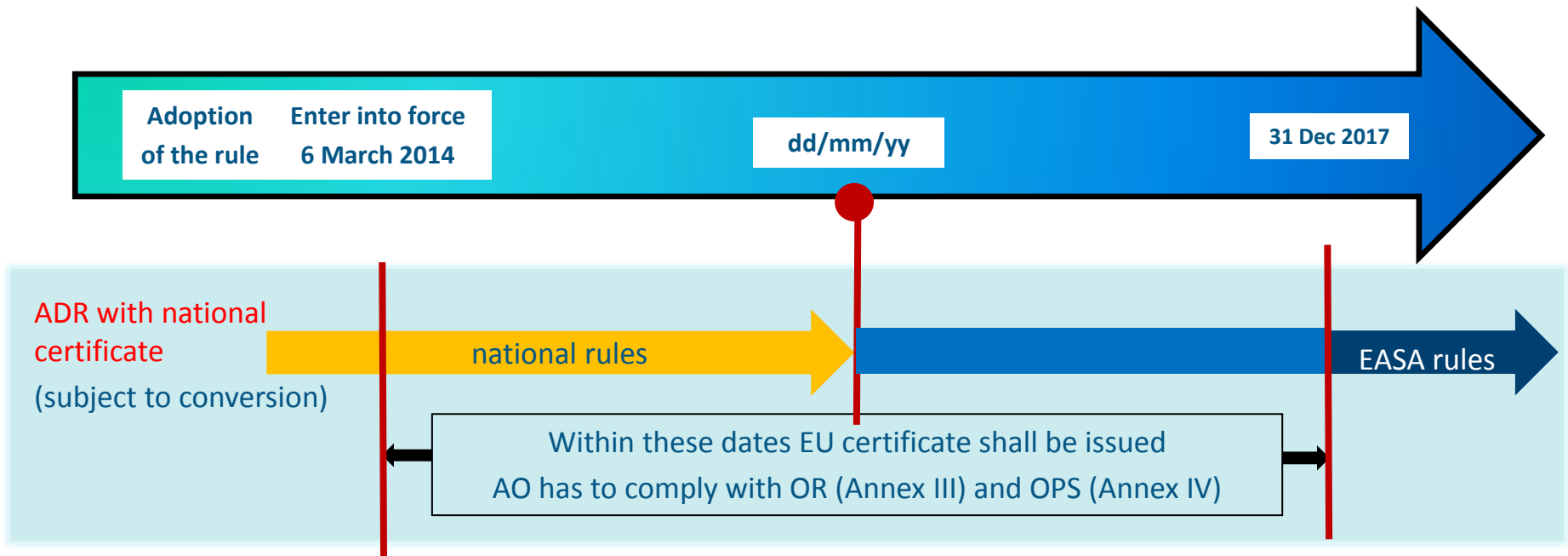


How to deal with deviations as “local solutions” to infrastructure:

- Applications until 31.12.2024
- Deviation do not qualify as ELOS or SC
- Deviations exist before 6 March 2014
- Safety assessment
- Compile the evidence, DAAD

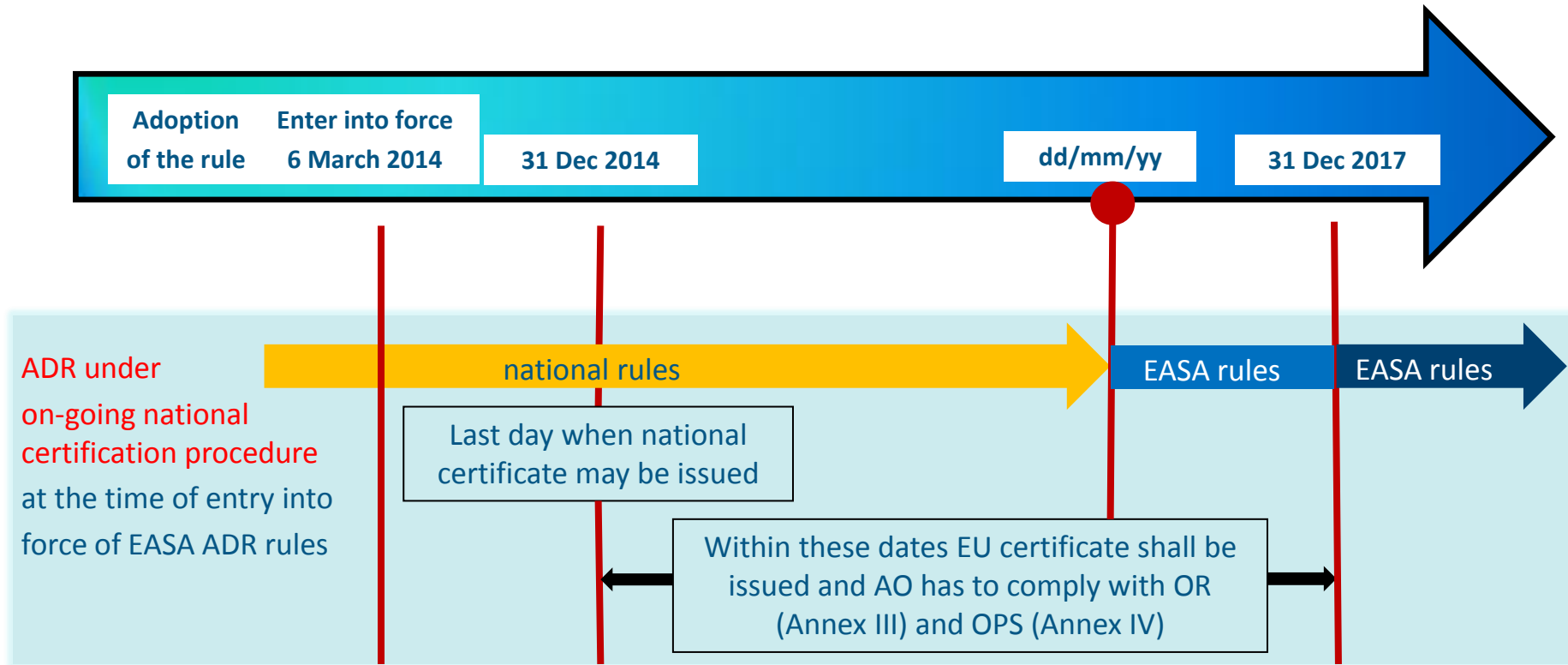


Applicability of the rules (1)



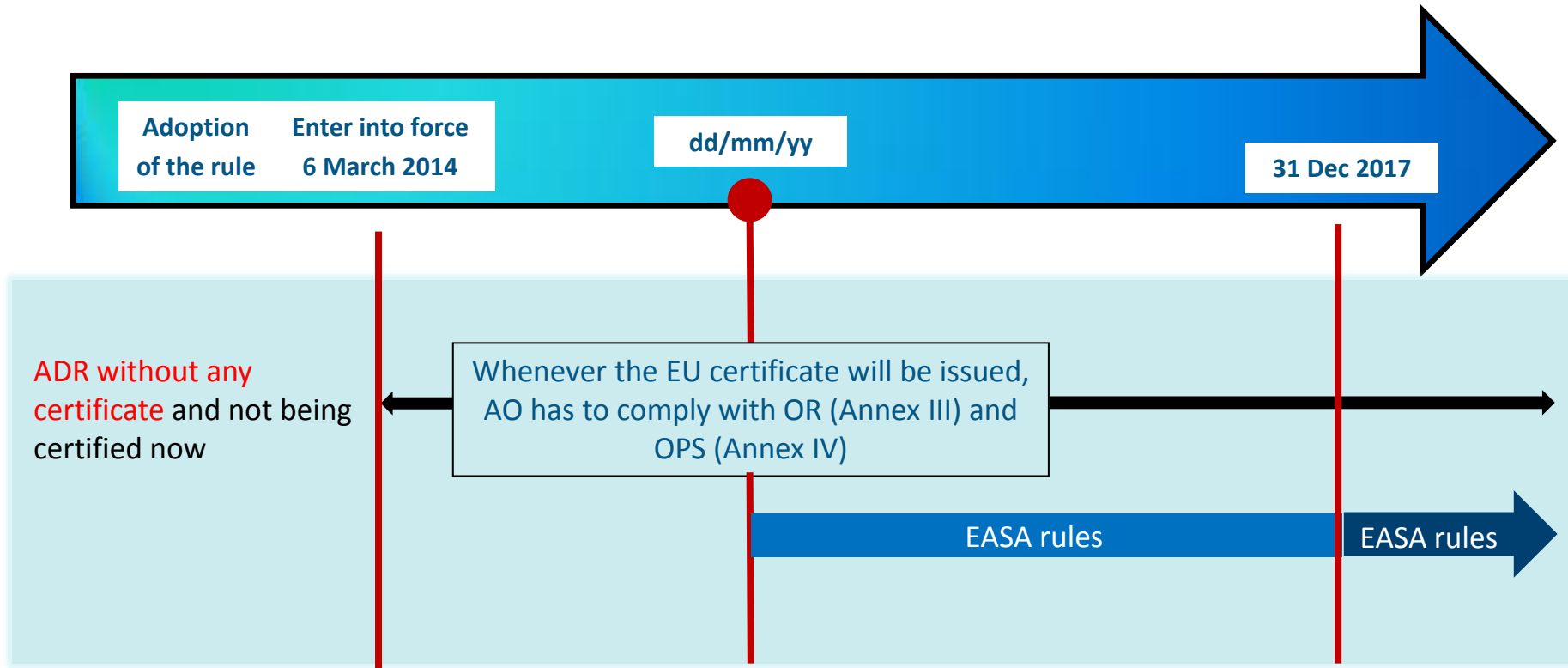


Applicability of the rules (2)



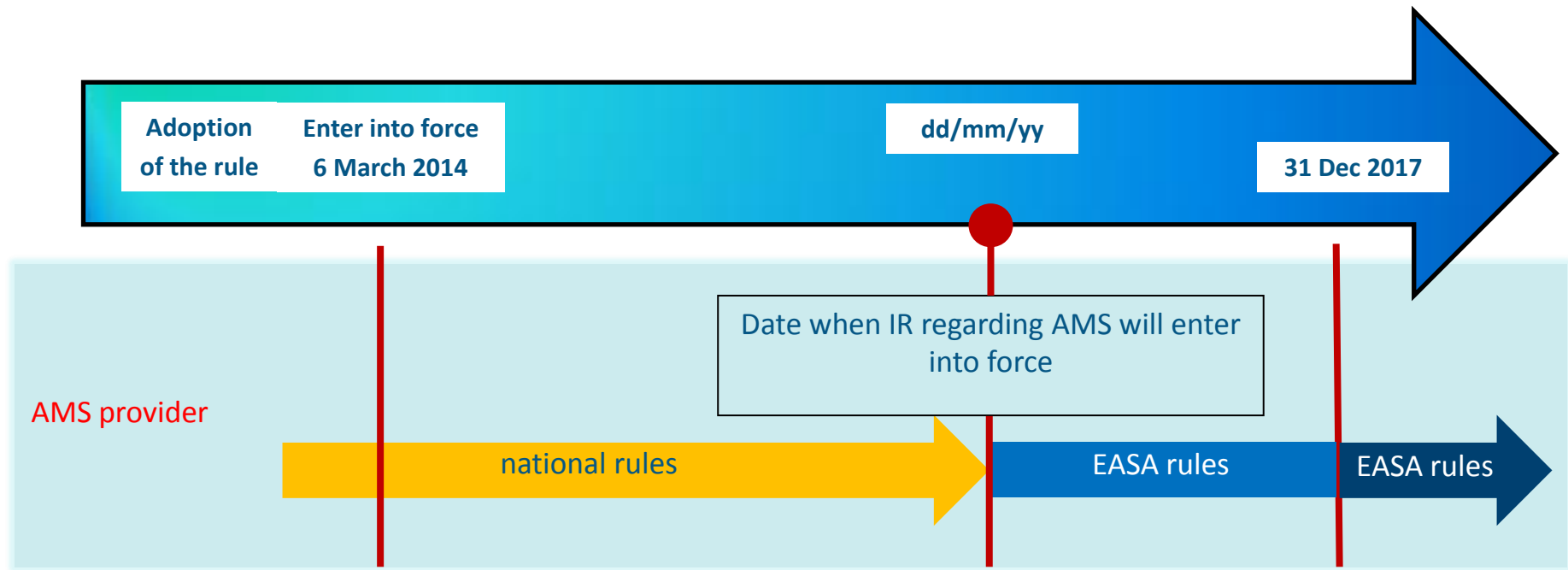


Applicability of the rules (3)



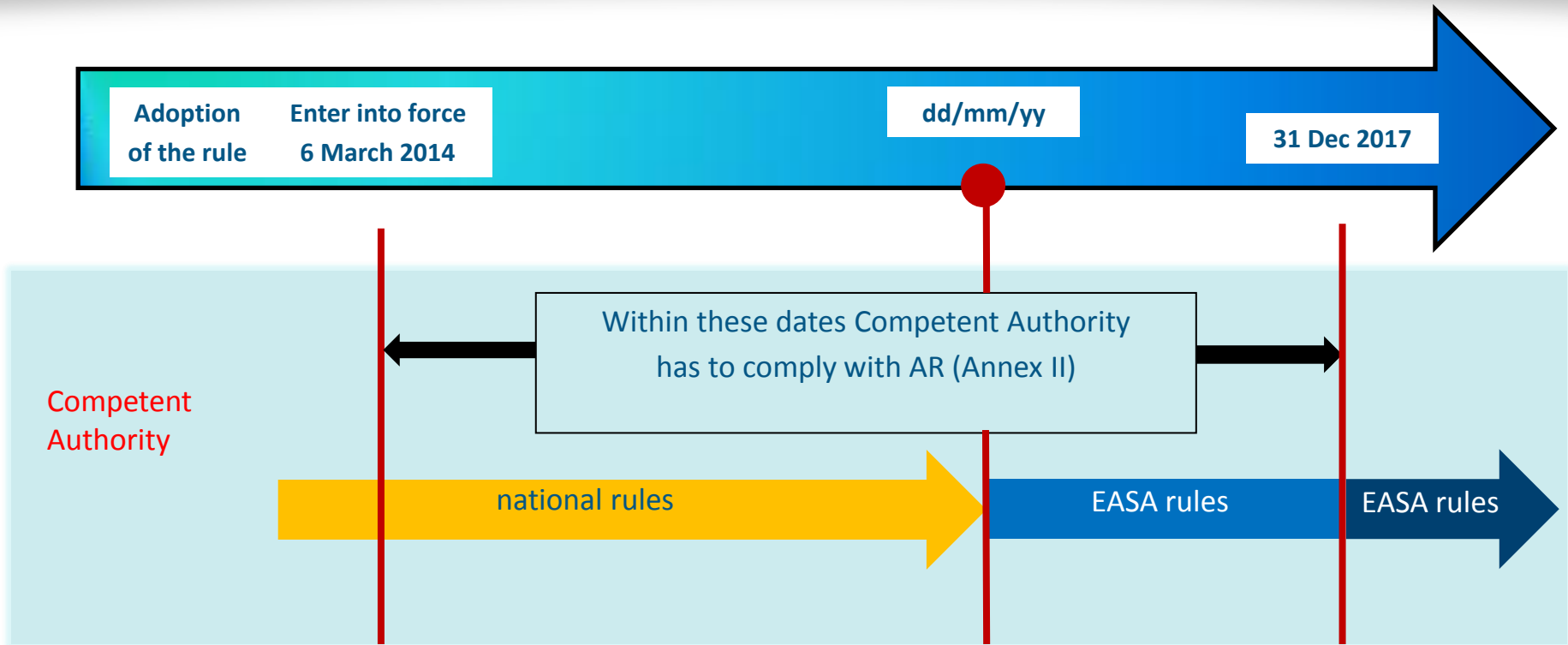


Applicability of the rules (4)





Applicability of the rules (5)



FROM 31 DECEMBER 2017 ALL AERODROMES IN THE SCOPE, COMPETENT AUTHORITIES AND APRON MANAGEMENT SERVICE PROVIDERS HAVE TO COMPLY WITH EASA RULES FOR AERODROMES!!!



EASA
European Aviation Safety Agency



Thank you!

predrag.sekulic@easa.europa.eu

Your safety is our mission.

An agency of the European Union

