



EASA

European Aviation Safety Agency

RMT.0464 ATS Requirements The NPA

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ATM/ANS CRs – Regulation 2016/1377

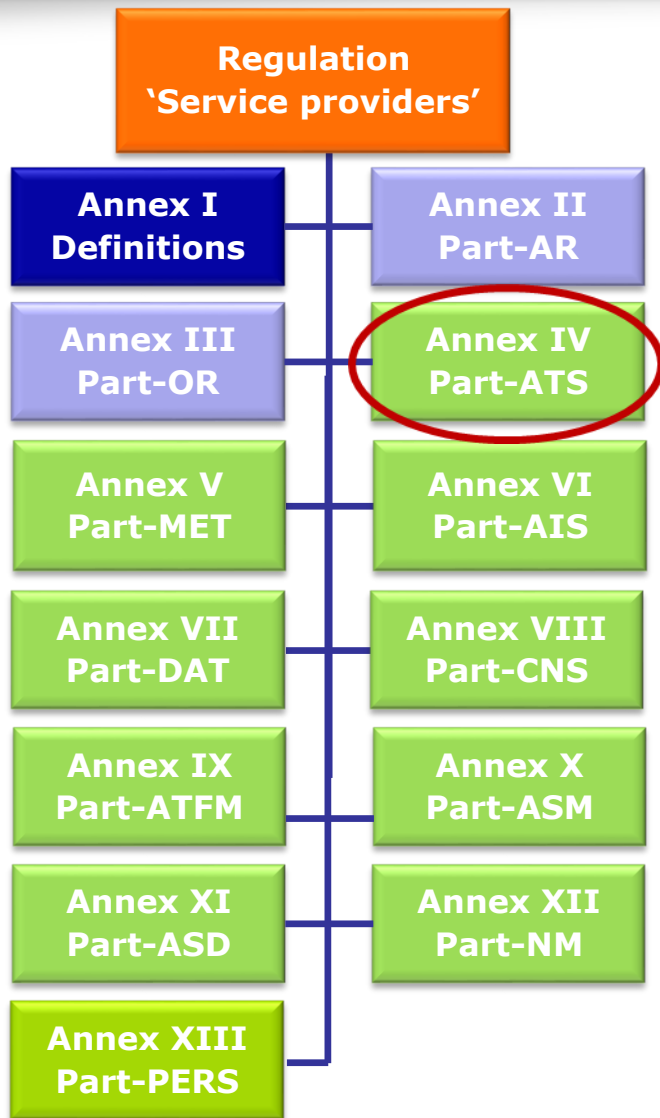
- Main objectives are to:
 - implement Essential Requirements in Annex Vb of the EASA BR
 - establish organisations and authorities requirements with an aligned scope
 - align EU SMS requirements with ICAO SMS framework
 - align EU CA Management System requirements with ICAO SSP
 - introduce training and competence assessment requirements for ATSEPs
 - establish EU MET service requirements by transposing ICAO Annex 3
 - establish EU DAT requirements (data for airspace users for AN purposes)
 - establish specific HF requirements for ATC service providers

- AIS/AIM: NPA 2016-02 consultation open until 30.09.16

- RMT.0445 'Part ASD' ongoing – NPA to be published by Q4 2016



ATM/ANS CRs – Regulation 2016/1377



Part-AR: Authority requirements

Part-OR: General organisation requirements

Parts 'xxx' – Technical requirements

- ▶ **Part-ATS:** Air Traffic Services
- ▶ **Part-MET:** Meteorological services
- ▶ **Part-AIS:** Aeronautical Information Services
- ▶ **Part-DAT:** Data providers
- ▶ **Part-CNS:** Communication, Navigation, Surveillance
- ▶ **Part-ATFM:** Air Traffic Flow Management
- ▶ **Part-ASM:** Airspace Management
- ▶ **Part-ASD:** Airspace Design
- ▶ **Part-NM:** Network Manager
- ▶ **Part-PERS:** Personnel requirements



ATS provision in EU legislation - Today

- EU Member States obligations towards the Chicago Convention
- SES Legislation
- Reg.216/2008, the EASA Basic Regulation
- Regulation 1035/2011 Annex II Chapter 4: working methods and operating procedures compliant with:
 - Reg. 923/2012 (SERA)
 - Annex 10 Volume II
 - Annex 11 – No reference to PANS ATM
- Regulation 2016/1377 Annex IV Subpart B: reference to ICAO and SERA maintained
- **RMT.0464** to implement the Essential Requirements in Annex Vb 2. (c) of the EASA Basic Regulation and replace reference to ICAO with a comprehensive set of requirements (IR, AMC,GM)



RMT.0464 - Objectives

- To introduce a complete set of measures implementing the ERs in BR Annex Vb 2.(c) concerning the provision of ATS;
- To establish common EU ATS requirements by transposing the relevant ICAO provisions, thus contributing to their harmonised implementation, as a basis for EU aviation law;
- To harmonise ATS provisions based on mandatory (IRs) and flexible (AMC and/or GM) requirements; and
- To establish proportionate and cost-efficient rules.



RMG.0464 set up and activities

- RMG.0464 composition established based on nominations received from ATM/ANS advisory bodies
- Includes representatives from:
 - **National Aviation Authorities (2)**
 - **ANSPs (2)**
 - **CANSO (3)**
 - **Unions (2)**
 - **EUROCONTROL (2)**
 - **EASA (2)**
- RMG.0464 held 11 meetings, from September 2014 to February 2016
- Work during meetings and via correspondence
- Bilateral with EUROCONTROL on specific subjects
- Thematic meeting on AFIS held on 17.03.16



RMT.0464 - Tasks

- Analysis and, where appropriate, transposition of provisions in ICAO Annex 10 Volume II, Annex 11, Docs 4444, 7030 EUR, 9426
- Analysis of differences filed by MS to Annex 11 and identification of commonalities to be introduced in the EU law
- Identification of gaps and, where necessary, development of new provisions complementing those transposed from ICAO
- Establishing correlation between ICAO provisions and the corresponding EU provisions
- Ensuring consistency with EU legislation (e.g. SERA, SES)



Structure of the NPA

The NPA is structured in 2 files, as follows:

NPA (A)

1. Procedural information
2. Explanatory Note
3. Regulatory Impact Assessment (RIA)
4. References

NPA (B)

1. Proposed amendments (IRs, AMC, GM)
2. References

Additional informative material published:

- **Annex 11 Checklist**
- **PANS ATM Checklist**
- **Analysis of EASA AFIS Survey**



Subpart A – ATS.OR

Section 1 - General

Section 2 – Safety of services

Section 3 – HF requirements

Section 4 – Communication reqs.

Section 5 - Information reqs.

Subpart B – ATS.TR

Section 1 – General

Section 2 – ATC service

Section 3 - FIS

Section 4 – Alerting service



Existing requirements with Reg. 2016/1377



New requirements proposed with the NPA on PART-ATS



Consistency with other EU legislation

- Proposed measures developed consistently with:
 - SES Regulations
 - EASA BR, ATM/ANS Common Requirements, other Implementing Rules
 - SERA – (specific close coordination)
 - Upcoming amendments to ICAO documentation (particularly PANS ATM)

- Reminder:
 - SERA requirements address collective action (ATS/pilots)
 - ATS requirements address ATS providers/Units/staff

- Analysis allowed the identification of provisions to be proposed for transposition as SERA in the future maintenance mechanism



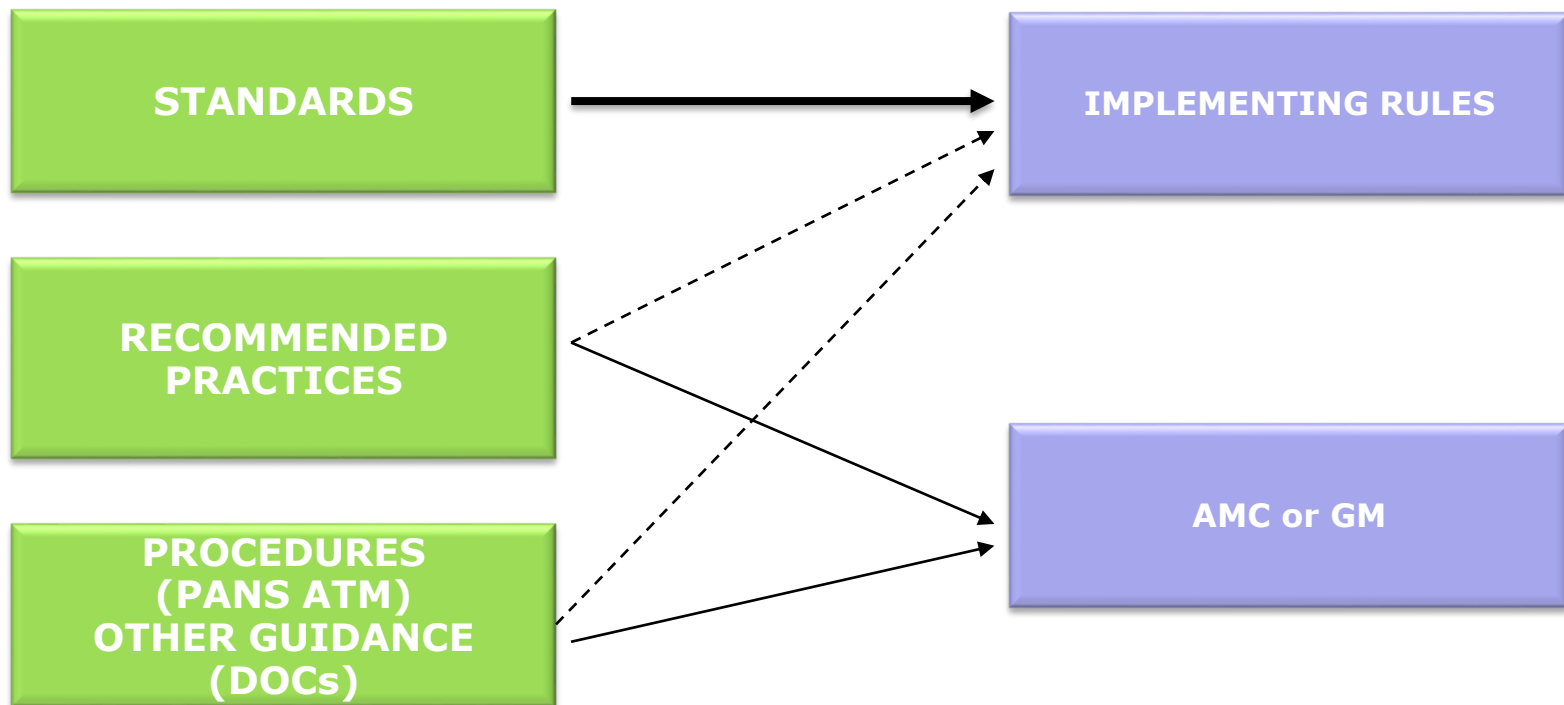
Basis for proposed EU ATS Requirements

- ICAO Annex 10 Volume II,
- Annex 11
- Doc 4444 PANS ATM
- Doc 9426
- DOC 7030 – EUR
- Proposed amendments agreed at EUR level
- Filed differences to ICAO Annex 11 by States
- Other documents (e.g. ICAO Circular 211-AN/128, EUROCONTROL AFIS Manual)
- National practices



Transposition – HOW?

- Detailed analysis of ATS-relevant ICAO documentation
- Selection of measures to be transposed on a case-by-case basis
- Proposed transposition as IR, AMC, GM not in contradiction the with the regulatory force of the original ICAO provisions





Cross-referencing ICAO transposition in the NPA

Annex 11 Checklist sample

SARP identifier	Annex 11 Amendment 49	Differences between SARPs and proposed transposition	Proposed transposition into EU ATS Requirements
	Air Traffic Services		
	Standard, <i>Recommended Practice</i> , Notes, <i>transposed in SERA</i>		
2.1.4	Where air traffic services are established, information shall be published as necessary to permit the utilization of such services.		The transposition as ATS IR ATS.OR.125(a), is proposed as follows: The air traffic services providers shall provide to the relevant AIS providers information to be published as necessary to permit the utilisation of such air traffic services.

NPA File (B) sample

ATS.TR.200 Application

ATC service shall be provided:

- (a) to all IFR flights in airspace Classes A, B, C, D and E;
- (b) to all VFR flights in airspace Classes B, C and D;
- (c) to all special VFR flights;
- (d) to all aerodrome traffic at controlled aerodromes.

(Annex 11 — Section 3.1) (transposed as SERA.8001)

ICAO Originating provision(s)





FIS certification in Reg.1035/2011

- FIS (and AFIS!) included in the scope of ATS
- Certification of ATS providers is **MANDATORY** i.a.w.:
 - Article 8.1 of Reg. 550/2004 and
 - Article 4 of Reg. 1035/2011
- Reg.1035/2011 Article 5.4: AFIS providers regularly operating not more than one working position may be certified with **DEROGATIONS** (a reduced certification scope under specified conditions) only on the following:
 - safety management responsibility & external services and supplies
 - safety surveys
 - safety requirements for risk assessment and mitigation with regard to changes



FIS certification in Reg. 2016/1377

- Article 8b(3) EASA BR: States may allow FIS providers **TO DECLARE** their capability and means of discharging the responsibilities associated with the services provided
- Article 6 of Regulation 2016/1377 implements such principle
- ATM/ANS.OR.A.015 requirements and eligibility criteria for declaration, i.e.:
 - FIS is provided by one working position; or
 - the service is of temporary nature, as agreed with the CA
- Provision ATM/ANS.OR.A.030 defines conditions for the continued validity of the declaration

N.B. - For AFIS, when a State decides not to apply declarations, the possibility for a limited certificate applies (see ATM/ANS.OR.A.010(b)(2))



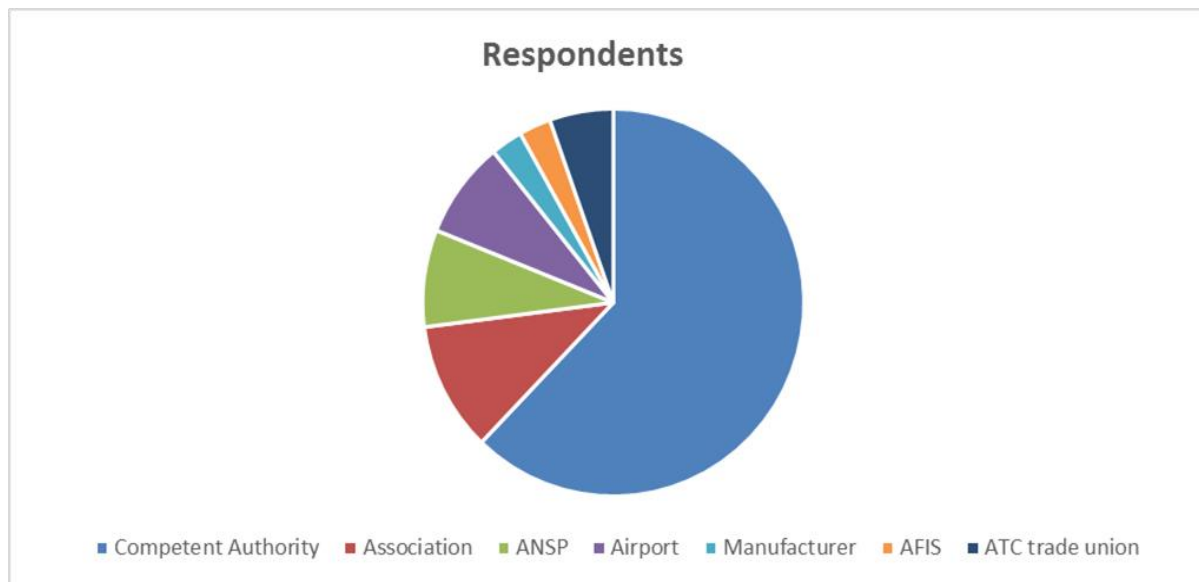
Why regulating AFIS

- ICAO: AFIS not established as a 'standalone' service
- Guidance on AFIS provided by ICAO Circular 211-AN/128 – EUROCONTROL AFIS Manual – Non binding material
- Current EU Legislation:
 - **AFIS in the ATS scope – certification required**
 - **provisions for FIS apply, but they are not specific to the aerodrome environment**
- Feedback from EASA survey: diverse implementation across EU States, often based on national regulation
- Feedback from EASA standardisation inspections: problems with certification/designation of AFIS providers
- Lack of ICAO SARPs on AFIS = **a gap to be filled within the EU ATS regulatory framework**



The EASA AFIS Survey

- Issued from 20.08 to 16.10 2015
- 37 Responses from 27 States (22 EU, 3 other EASA, 2 ECAC)



- Questions based on controversial issues and feedback from EASA standardisation activities
- Results supported the decision making on regulatory proposals



Regulatory proposal on AFIS

- Explicit recognition of AFIS within ATS = amended definition
- To establish general requirements on fundamental aspects of AFIS provision = legal basis for certification, oversight, service provision
- Mainly Organisation Requirements derived from Annex 11 Standards extended to AFIS, where deemed appropriate
- Additional technical requirements (mostly AMC and GM) derived from ICAO Circular and EUROCONTROL AFIS Manual, validated by the EASA survey
- Not addressed in the NPA:
 - AFIS Phraseologies – to be addressed under SERA maintenance
 - FISO/AFISO qualification and training



UNICOM stations

- To ensure proportionality and avoid negative impact on local aerodrome activities, the 'UNICOM concept' is proposed in GM
 - UNICOM = Aeronautical stations facilitating local aviation activities
 - Not within the EU ATS scope
 - To be regulated at national level
 - To be notified via AIS publications

- No 'thresholds' are established for the selection of aerodrome ATS or facilitation to local activities

- Decision making on type and level of service is a responsibility of Member States



NPA publication and consultation

- NPA on PART-ATS will be published shortly
- With an initial 4-month consultation period
- Possible extension upon formal request of stakeholders
- EASA to organise a workshop on the NPA (in November/December 2016)
- When published, comments can be submitted at:
<http://hub.easa.europa.eu/crt/>



EASA
European Aviation Safety Agency

Thank you very much for your attention!

Questions?

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