

# canso POLICY

**CANSO position  
on  
Guiding principles for EASA work and  
roadmap for ATM Safety Regulation**

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## CANSO position

### Guiding principles for EASA work and roadmap for ATM safety Regulation

CANSO fully supports making EASA the safety regulator for the whole air transport sector in Europe. The extension of EASA competence to ATM - ANS safety regulation is therefore fully coherent with this approach and supported by CANSO.

To fill in its new role, EASA has to be adequately resourced, efficient and effective.

#### 1 Principles for ATM/ANS Rulemaking Activities

CANSO desires that any proposed rules:

- Are focussed only on Safety;
- Are mature when presented for consultation via the NPA process;
- Are proportionate (a "one size fits all" approach will not work);
- Are prioritised to meet the Basic Regulation deadlines;
- Use the legal definitions, applicability and scope from the Basic Regulation;
- Recognise that ANSPs and Aerodromes have to continue to provide services during upgrades/transitions;
- Shall be assessed for its value for safety. The effort to fulfil the regulatory requirements should be proportionate to its safety benefit;
- Recognise that equipment certification is not a guarantee of safe integration / operation;
- Are based on high-level principles with detail in Acceptable Means of Compliance and Guidance Material;
- Are based on a Light Touch Approach for regulatory oversight;
- Acknowledge the interaction between Aerodrome and ATM operations at airports, with rules developed with appropriate input;
- Acknowledge the difference between pre-SESAR systems and SESAR-compliant systems with legacy systems given grandfather rights<sup>1</sup>;

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<sup>1</sup>Meaning of "Grandfather rights": It may not be economically viable for some existing systems to be upgraded to meet new requirements, particularly when they are near to the end of their operational life. If the reasons for the new requirements do not justify immediate total compliance, regardless of cost, such legacy systems may be permitted to continue in operational for a period through appropriate transitional arrangements.

- Are based on relevant source material, giving precedence to existing EU legislation unless there is a clearly justified reason to do otherwise;
- Fully justify any proposed material changes in content when transposing existing legislation into the EASA system;
- Are coordinated in terms of content, requirements and timescales;
- Ensure a level playing field for Aerodromes and ANSPs across Europe in terms of regulatory burden;
- Complement and support the other SES legislative requirements;
- Are clear about which elements are "safety critical", which are "safety related", and which have no direct safety component;
- Do not hinder the operation of competitive markets where these exist.

## **2 Proposed Roadmap for the Rulemaking Activities**

The roadmap for EASA's rulemaking activities for ATM/ANS and Aerodromes will be developed as part of the Commission's wider Regulatory Roadmap under the umbrella of the Single European Sky. CANSO believes the rulemaking tasks can be split into 3 subject blocks as follows.

### **Block A – Initial Rulemaking Activity:**

Initial transposition of existing requirements into the EASA rules structure and development of Acceptable Means of Compliance as required by the Basic Regulation. These include the relevant safety elements of:

- Commission Regulation 2096/2005/EC on Common Requirements for air navigation service provision
- Directive 2006/23/EC on a Community air traffic controller licence
- Commission Regulation 1315/2007/EC on safety oversight
- Other Existing SES Regulations

Identify any gaps potentially requiring new rules, including the joint work on Standardised Rules of the Air being led by Eurocontrol.

Confirm the elements of existing rules to stay outside the EASA rules structure

This activity should be undertaken between 2009 and 2011 to meet the deadline of the Basic Regulation.

### **Block B – Harmonised European Application of ICAO Requirements:**

This is a large, complex task which should not start until the high priority activities in A have been completed so the proposed timescale is 2015 to

2020. Relevant ICAO SARPS identified in Block A could be used as Acceptable Means of Compliance in a first instance.

**Block C – Longer Term Activities for Systems and Constituents:**

This is also a large, complex task which should not start until the high priority activities in A have been completed so again the proposed timescale is 2015 to 2020. They must be in line with the Commission's Regulatory Roadmap.

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