



22.07.2003

Message by Mail to Mr Maurizio CASTELLETTI – European Commission

Re: COMMON REQUIREMENTS STUDY - ref: TREN/F2/8-2002

Dear M. Castelletti,

In response to the draft Final Report of Booz Allen Hamilton, our organisation would like to address our first comments in the very short deadline that you have established. Further comments will certainly reach you by our members directly and we will also have the opportunity to address the study at the planned workshop.

1. Distinction of requirements in the certification and designation process

CANSO expresses a need for clarification about the requirements that will be specifically necessary in each of the 2 processes. A summarized table that classifies the requirements for each of the processes would certainly be interesting. This will permit us to comment before next workshop.

2. Level playing field

CANSO is concerned about the level playing field. The principle is well accepted but the difficulty is to determine on what basis the level playing field will be ensured in practice. CANSO considers that only the use of same objective indicators and recognized standards can be used. Any ambiguous statement where different interpretations are possible should be avoided wherever possible.

In the draft final report, we found however many examples where different interpretations are possible, such as for example:

- 32: requirements to consult with the NSA
- 54-58: liabilities, no reference to common standards
- 70: business plan and 87 annual plan: the level of details is not defined and this leaves then the door open to different interpretations

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3. Cost benefit analysis

The common requirements include programs that have an enormous impact on the cost benefit analysis of our organisations, such as:

- quality and safety management
- important training programs
- IAS (International Accounting Standards)
- 5 years Business Plan, Annual Plan and Annual Report
- Capacity, Investment and Operational Plans
- Human Resources planning, job definitions
- Contingency Plans
- Occurrency reporting and assessment plans

As suggested during the May workshop, CANSO would appreciate that the consultant gives an indication of the cost benefit analysis of these requirements, and this for the service providers from one side, but also for the increased costs for the national supervisory activities.

It would be interesting to have for each of the important common requirements:

- the new situation compared to the present one in Member States and accession States
- the cost of individual measures
- the overall cost estimated for the industry
- the additional cost for National Supervisory States
- the expected benefits

We fully understand that it not easy to make Business Assessment Plans, but in a time of cost reduction and cost effectiveness, all important decisions should take the economic impact on our industry into consideration.

4. Reasonable deadlines

The study does not define the implementation deadlines for important programs such as:

- safety and quality management programs
- IAS (International Accounting Standards)
- ESARR's

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We had not sufficient time to document what appropriate deadlines are feasible for our industry, but it seems important that the Final Draft of the consultant includes this very important point.

5. A pragmatic approach

CANSO urges for a pragmatic approach in avoiding excessive administrative and organizational burdens. Too detailed regulations and heavy control mechanisms by National Supervisory Authorities do not help the dynamic development of our industry; neither do they contribute to the cost efficiency of the system.

We give you some examples of what could be in practice a too detailed regulation and too heavy control mechanisms :

- 8: detailed register of manpower
- 16: the service provider shall obtain the approval of the NSA for any change to the ATM
- 22: procedure for management and control of data:
this should not be dealt with in the common requirements, since they are not relevant for certification; on the other hand the data transmission and protection rules are already covered under different other regulations
- 27-31 and 51-53: the details requested to proof financial strength are too heavy

We really hope that you will be in a position to take these comments into consideration and we would be glad to contribute in order to find solutions to the points raised here above.

Thanking you in advance for your interest, we remain,

Yours sincerely,



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