

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2020/0364(COD)
Certain aspects of aviation safety with regard to the end of the transition period mentioned in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community	
Subject 3.20.01 Air transport and air freight 3.20.01.01 Air safety	
Geographical area United Kingdom	

Key players			
European Parliament	Committee responsible  Transport and Tourism	Rapporteur	Appointed
		 DANIELSSON Johan	11/12/2020
Council of the European Union			
European Commission	Commission DG Mobility and Transport	Commissioner	
European Economic and Social Committee			
European Committee of the Regions			

Key events			
10/12/2020	Legislative proposal published	COM(2020)0828	Summary
10/12/2020	Decision by committee, without report		
14/12/2020	Committee referral announced in Parliament, 1st reading		
18/12/2020	Decision by Parliament, 1st reading	T9-0388/2020	Summary
23/12/2020	Act adopted by Council after Parliament's 1st reading		
23/12/2020	Final act signed		
28/12/2020	Final act published in Official Journal		
22/01/2021	End of procedure in Parliament		

Technical information

Procedure reference	2020/0364(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the EU TFEU 100-p2; Rules of Procedure EP 163
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/9/04841

Documentation gateway

Legislative proposal	COM(2020)0828	10/12/2020	EC	Summary
Text adopted by Parliament, 1st reading/single reading	T9-0388/2020	18/12/2020	EP	Summary
Draft final act	00067/2020/LEX	23/12/2020	CSL	
Commission response to text adopted in plenary	SP(2021)34	27/01/2021	EC	

Final act

[Regulation 2020/2226](#)
[OJ L 437 28.12.2020, p. 0097](#)

Final legislative act with provisions for delegated acts

Certain aspects of aviation safety with regard to the end of the transition period mentioned in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

PURPOSE: to establish provisional measures to ensure the possibility of continued use of various safety certificates for products in EU aircraft after the end of the transitional period mentioned in the UK withdrawal agreement.

PROPOSED ACT: Regulation of the European Parliament and of the Council

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: this proposal is part of a package of contingency measures to prepare for a possible scenario of no agreement between the EU and the United Kingdom after the end of the transitional period.

If no agreement on the future relationship that covers aviation safety is reached by the end of the transition period, the withdrawal of the United Kingdom from the Union will affect in particular the validity of certificates and licenses issued by the European Union Aviation Safety Agency on behalf of the United Kingdom, or by certain design organisations based in the United Kingdom.

Regarding certain aeronautical products (type certificates) and companies (organisation approvals), the United Kingdom resumes, for its jurisdiction as of the end of the transition period, the role of State of design under the Convention on International Civil Aviation.

It is therefore necessary to develop a controlled transition mechanism, ensuring that the affected products or designs, which were certified by the Agency or a design organisation certified by the Agency before the end of the transition period, can continue to be used in Union aircraft without disruption.

CONTENT: the proposal concerns aviation safety and complements Union Regulation (EC) 2018/1139 to deal specifically with the situation entailed by the end of transition period set in the withdrawal agreement in the absence of an agreement covering aviation safety matters applicable by that date.

The proposal should allow EU manufacturers to continue production and operators to continue to operate these products in accordance with

the applicable EU legal requirements. An interruption of these activities would cause serious economic and social difficulties. By ensuring compliance with EU law by the bodies concerned, the proposal should also ensure the protection of consumers and citizens.

This Regulation should apply to the certificates listed in the Annex which are valid on the day preceding the date of application of this Regulation and which have been issued by the Agency to natural or legal persons having their principal place of business in the United Kingdom or by a design organisation having its principal place of business in the United Kingdom. It shall only apply in respect of aircraft registered in the Union.

Certain aspects of aviation safety with regard to the end of the transition period mentioned in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

The European Parliament adopted by 680 votes to 3, with 4 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on certain aspects of aviation safety with regard to the end of the transition period mentioned in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

Parliament adopted its position at first reading in accordance with the legislative procedure, taking over the Commission proposal.

The proposal is part of a package of temporary contingency measures aimed at alleviating some of the major disruptions that will occur on 1 January 2021 in the event that an agreement with the United Kingdom is not yet reached. It relates to aviation safety and supplements Regulation (EU) 2018/1139 to address the situation resulting from the absence of an agreement covering aviation safety issues applicable on the date of the end of the transition period set in the agreement on the withdrawal of the United Kingdom from the EU.

The proposal ensures the possibility of uninterrupted use of various safety certificates for products in EU aircraft, thus avoiding grounding of these aircraft.

This Regulation should enter into force as a matter of urgency and should apply from the day following the end of the transition period, unless an agreement between the European Union and the United Kingdom governing matters of civil aviation safety related to design certificates addressed in this Regulation has entered into force or provisionally applies by that date.