

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2016/0236(COD) Procedure lapsed or withdrawn
Union certification system for aviation security screening equipment	
Subject 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.20.01.01 Air safety	

Key players	
European Parliament	
Council of the European Union	
European Commission	Commission DG Migration and Home Affairs
European Economic and Social Committee	Commissioner AVRAMOPOULOS Dimitris

Key events			
07/09/2016	Legislative proposal published	COM(2016)0491	Summary
15/09/2016	Committee referral announced in Parliament, 1st reading		
18/05/2017	Referral to joint committee announced in Parliament		
21/06/2019	Proposal withdrawn by Commission		

Technical information	
Procedure reference	2016/0236(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 114; Rules of Procedure EP 58
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	CJ06/9/00188

Documentation gateway

Legislative proposal		COM(2016)0491	07/09/2016	EC	Summary
Document attached to the procedure		SWD(2016)0259	07/09/2016	EC	
Document attached to the procedure		SWD(2016)0261	07/09/2016	EC	
Economic and Social Committee: opinion, report		CES5432/2016	25/01/2017	ESC	

Additional information

Research document

[Briefing](#)

Union certification system for aviation security screening equipment

PURPOSE: to establish an EU certification system for aviation security screening equipment.

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 Council.

BACKGROUND: civil aviation security screening equipment, such as metal detection equipment, security scanners and explosive detection systems, must fulfil a number of performance requirements before they can be made available or put into service.

[EU Regulation \(EC\) No 300/2008](#) establishes the technical specifications and performance requirements for aviation security screening equipment used at EU airports. However, the Regulation is not accompanied by a legally binding EU-wide conformity assessment scheme to ensure that the required standards are met at all EU airports.

Therefore, equipment certified in one EU Member State can be put on the market in that Member State only. Any other EU Member State is free to recognise this certification, but there is no procedure for automatic recognition of the certification issued by the first Member State.

Screening equipment in the aviation security sector represents a considerable market, with an annual global turnover of EUR 14 billion, EUR 4.2 billion of which in the EU alone. Accordingly, the Commission considers it necessary to allow free movement of this equipment in the internal market to improve the competitiveness of the European security industry.

In its Communication entitled "[Security Industrial Policy - Action Plan for an innovative and competitive Security Industry](#)" of July 2012, the Commission identified aviation security screening equipment as an area where it would make the most sense to set up a Union-wide certification system.

The [European Agenda on Security](#) emphasises the need for a competitive EU security industry.

IMPACT ASSESSMENT: the preferred option is a legislative proposal that would allow producers to market and sell their products throughout the Union, once certified in one Member State.

The approach consists of "full harmonisation", characterised by a certification system to be implemented by national approval authorities and based on detailed specifications laid down in legislation: 1) performance requirements applicable to aviation security screening equipment; 2) common testing methodologies 3) accreditation of testing laboratories.

CONTENT: the regulation aims to ensure the free movement of civil aviation security screening equipment in the Union. To this end, it establishes rules on the administrative and procedural requirements for the EU type-approval of aviation security screening equipment.

The certification system established by this proposal builds on the common evaluation process (CEP), elaborated within the European Civil Aviation Conference (ECAC) to assess the conformity of aviation security screening equipment with the existing performance requirements established at the EU level, and combines it with an accreditation procedure for conformity assessment bodies.

The aim is to establish a unique EU certification system based on EU type-approval and issuance of certificate of conformity by manufacturers, which would be valid in all the EU Member States, according to a principle of mutual recognition.

Each Member State should designate a body with responsibility for approving the compliance of aviation security screening equipment by issuing an EU type-approval certificate valid throughout the Union.

An EU type-approval certificate should attest that a specific type and configuration of aviation security screening equipment complies with the common rules and standards in the field of civil aviation security laid down in particular in Regulation (EC) No 300/2008.

Testing the equipment to assess compliance with the standards should be performed by technical services that have the skills and technical knowledge necessary to perform conformity assessments by applying the relevant common testing methodologies.

With regard to monitoring and evaluation, the proposal provides that every five years, the Commission will publish a general report on the implementation of the regulation. That report will be based on a targeted survey aimed at all relevant stakeholders to assess the efficiency and effectiveness of the implementation of the regulation with respect to the operational objectives.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the EU.