Common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency

2015/0277(COD) - 12/06/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 538 votes to 71 with 48 abstentions a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and repealing Regulation (EC) No 216/2008 of the European Parliament and of the Council.

Parliaments position adopted at first reading under the ordinary legislative procedure amended the Commission's proposal as follows:

Objectives: the regulation seeks to establish and maintain a high and uniform level of civil aviation safety in the Union and should:

- contribute to a high, uniform level of environmental protection;
- facilitate the movement of goods, services and personnel worldwide, by establishing appropriate cooperation with third countries and their aviation authorities, and by promoting the mutual acceptance of certificates and other relevant documents;
- support passenger confidence in a safe civil aviation;
- promote research and innovation, inter alia, in regulatory, certification and oversight processes.

The Regulation on EU civil aviation safety covers all key areas of aviation including airworthiness, aircrew, aerodromes, air operations and the provision of air navigation services. It would also include the rules for unmanned aircraft (civil drones).

The measures introduced under the Regulation are proportionate to the nature of each activity to which they relate and the risks associated with that activity.

Member States will be allowed to exempt from the Regulation the design, production, maintenance and operation activities that are performed in respect of certain small aircraft, other than unmanned aircraft, unless, in respect of those aircraft, a certificate has been issued.

Rules relating to drones: in view of the risks that unmanned aircraft can present for safety, privacy, protection of personal data, security or the environment, the Regulation should lay down essential requirements concerning the registration and operators of unmanned aircraft.

Depending on the nature of the activity concerned and the risks involved, the operational characteristics of the drones concerned and the characteristics of the area of ??operation, a certificate may be required for the design, production, maintenance and operation of drones and their remote control equipment, as well as for personnel, including remote pilots, and organisations involved in these activities.

The amended text aims to establish digital, harmonised and interoperable national registration systems in which information about unmanned aircraft and operators of unmanned aircraft registered in accordance with the Regulation should be stored. This would not apply to operators of smaller drones.

On the basis of these key principles, the European Commission would be responsible for developing more detailed rules at EU level (implementing acts and delegated acts), for example on the conditions under which unmanned aircraft are required to be equipped with necessary features and functionalities related, in particular, to maximum operating distance and altitude limitations, position communication, geographical zones entry restriction, collision avoidance, flight stabilisation and automated landing.

The essential requirements should also cover matters relating to electromagnetic compatibility and the radio spectrum, in order to ensure that they do not cause harmful interference.

Modernisation of air safety rules: the amendments update EU safety legislation in the aviation sector.

The amended text extends the European Aviation Safety Agency (EASA) mandate to safety-related aspects of security, such as cyber security, and to the protection of the environment. It establishes a framework for the pooling and sharing of aviation inspectors and other specialists to support member states in certification and oversight tasks. The draft regulation will also create a new support mechanism for Member States that will include technical assistance for certification, oversight and enforcement tasks.

The repository of information established by the Agency to ensure effective cooperation with national authorities should contain information on, inter alia, the re-allocation by Member States to the Agency or another Member State of certification and oversight tasks as well as Agency measures concerning flights over conflict areas.

The amended text states that cabin crew involved in commercial air transport should be subject to certification and, as a result of that certification, should be issued with an attestation. Implementing powers will be conferred on the Commission to establish detailed rules and procedures for the qualification of cabin crewmembers.

Where the implementing acts so provide, aircraft shall be equipped with the necessary safety-related equipment and instruments, certified where required, including some or all of the following: (i) flight recorders; (ii) means to track the position of the aircraft; (iii) means to recover flight recorder data in a timely manner in case of aircraft in distress.