

The logo for ACI Europe is a light blue square. Inside the square, the letters 'ACI' are written in a large, white, stylized font. Below 'ACI', the word 'EUROPE' is written in a smaller, white, sans-serif font. A white curved line sweeps across the square from the bottom left towards the top right.

**ACI EUROPE POSITION on
the extension of competencies
of the European Aviation
Safety Agency (EASA)**

**AIRPORTS COUNCIL
INTERNATIONAL**

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Introduction

1. Europe's Airports acknowledge that the current intention of the European Commission is to further extend the competencies of the European Aviation Safety Agency (EASA) in the field of regulation of airports, air traffic management and air navigation services.
2. ACI EUROPE supports EASA as created by Regulation (EC) 1592/2002 and believes that a European framework for procedures and authorisations for aircraft and appliances issued by a single authority certainly improves aviation safety and efficiency in Europe.
3. It is further acknowledged that EASA in 2006, as part of its rulemaking procedure, issued Notice of Proposed Amendment (NPA) no. 6/2006 including the Basic Principles and Essential Requirements for the Safety and Interoperability Regulation of Aerodromes.
4. ACI EUROPE submitted comments on the NPA to EASA in October 2006 along with around 1900 stakeholders.
5. ACI EUROPE notes that EASA will proceed with the development of the Safety and Interoperability Regulation of Aerodromes and that it plans to issue an Opinion including proposed Basic Regulation to the European Commission in July 2007.
6. ACI EUROPE, while strongly advocating safe operations at European airports will not support any additional layer of regulation; Airports which have been planned, built and operated under the International Civil Aviation Organisation (ICAO) Annex 14 requirements as set by their regulator, should not be subjected to an additional layer of regulation
7. It is the airports industry view that in general terms efforts should initially be concentrated on achieving uniform applicability of the ICAO standards that are already in existence. These standards, which are under constant revision, are developed internationally and States that are signatories to the Chicago Convention are obliged to implement them, unless they declare otherwise.
8. It is of concern to ACI EUROPE to understand if EASA intends to replace the National Aviation Authorities (NAA's) and ICAO's standard setting purpose, or whether it will be an additional regulator. In our opinion an additional regulator would simply create unnecessary additional layers of regulation with which the airport industry would have to contend. As a result, it would increase bureaucracy, slow down procedures and increase costs, whilst the real benefit to the aviation community remains to be proven.



Fundamentals and prerequisites

9. Although it is the ambition of ACI EUROPE Member Airports to always aim for a higher level of safety, no credible commentators have highlighted fundamental deficiencies in airport safety. We are unaware of any supporting evidence arguing for the introduction of common European Airport Regulations. Present legal structures in Member States place responsibility and liability for incident investigation and any resultant compensation with States or their enterprises. As a result, States are careful to ensure that practices conform to a legally defensible strategy.
10. Any new regulation or regulatory framework should be established on the basis of a thorough analysis of all implications, including operational and financial. Furthermore, any new regulation should not differ from ICAO's Annex 14, to which European States are signatory parties.
11. It is important to Europe's Airports that the flexibility laid down by ICAO by permitting the application of both Standards as well as Recommended Practices (SARPS) is not limited in the future. Any new regulation at Community level should only clarify the "grey" areas of ICAO SARPS.
12. ACI EUROPE believes that any future harmonisation of aerodrome regulations should be done through ICAO, also in order to avoid potential competitive distortion between EU and non-EU airports. This is why ICAO's SARPS should always remain pivotal to any future EU-wide legislative and/or regulatory initiatives.
13. Until a conclusion is reached on the extension to airport competencies and introduced into Regulation (EC) 1592/2002, ACI EUROPE believes that caution must be exercised when devising new practice, rules and/or suggestions for legislative changes.
14. ACI EUROPE is of the opinion that there is a need for an analysis of the operational and financial consequences of any further legislation. Operational implications that may lead to capacity constraints should be assessed in conjunction with the conclusions from the EUROCONTROL-ECAC Study "Challenges to Growth", which should be updated in 2008. Any additional requirements at EU level impacting existing airport infrastructure should be conditioned to thorough analysis of all implications, including financial and sustainability of public and community services.
15. Furthermore, ACI EUROPE emphasises that robust safety assessments are vital before accepting variations to the ICAO requirements. These safety assessments with respect to aerodrome design and operations are not adequately developed and understood at this time. For instance, a set of risk acceptance levels is not yet available. Therefore, ACI EUROPE acknowledges the need for the development of harmonized risk acceptance levels for Aerodrome design and operations, and will encourage its members to join efforts in this regard.



Airports Council International (ACI) is the only worldwide professional association of airport operators. ACI EUROPE represents over 450 airports in 45 European countries. As member airports handle 90% of commercial air traffic in Europe, welcoming over a billion passengers each year, ACI EUROPE has the unassailable right to represent Europe's airports on all matters concerning European air transport policy

Further information

Please contact Etienne van Zuijlen, Policy Manager, ACI EUROPE at

e-mail: etienne.van-zuijlen@aci-europe.org

tel: +32 (0)2 552 0974 or fax: +32 (0)2 502 5637