



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.11.2002
COM(2002) 664 final

2002/0014 (COD)

Amended proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the safety of third countries aircraft using Community airports

(presented by the Commission pursuant to Article 250 (2) of the EC Treaty)

EXPLANATORY MEMORANDUM

On 14.1.2002, the Commission transmitted to the Council and the European Parliament its proposal for a directive of the European Parliament and of the Council on the safety of third countries aircraft using Community airports (COM(2002)8/final - 2002/0014(COD)).

The Economic and Social Committee delivered a favourable opinion on 17.7.2002.

The Committee of the Regions decided not to deliver an opinion.

On 3.9.2002, the European Parliament, at its first reading, delivered its opinion, containing nineteen amendments to the Commission proposal.

Of the nineteen amendments adopted by the European Parliament, the Commission accepted thirteen : six entirely (n° 1, 4, 5, 13, 16, 22), six with minor wording modifications (n° 2, 9, 11, 18, 20, 21) and one partially, proposing to use another wording to comply with the latter's spirit (n° 12).

1. CHANGES TO RECITALS

Changes to recital 3 emphasise that we are not asking from third countries what the Community is not already doing itself (ref. Amendment 1).

Changes to recital 4 emphasise that monitoring of safety standards is necessary for all aircraft. The wording of the amendment adopted by the European Parliament has been slightly changed (ref. Amendment 2).

Changes to recital 5 emphasise that the effectiveness of ramp inspections is guaranteed by the application of uniform methods (ref. Amendment 4).

Changes to recital 6 emphasise that Community action is not aimed at third countries as such but at aircraft - from third countries - that fail to comply with internationally agreed safety standards (ref. Amendment 5).

A new recital introduces the concept of spot-checks procedure. This procedure is already applied in practice by several Member States (ref. Amendment 9).

A new recital proposes increased monitoring of aircraft or airlines previously deficient. This procedure is already applied in practice by several Member States (ref. Amendment 9).

Changes to recital 13 (now re-numbered 15) aims at ensuring that best use is made of existing safety data. The wording of the amendment adopted by the European Parliament has been slightly adapted (ref. Amendment 11).

A new recital 16 emphasises that this directive and the creation of the European Air Safety Agency will take due account of existing procedures and knowledge. The spirit of amendment 12 adopted by the European Parliament was accepted but another wording is used to express it (ref. Amendment 12).

2. AMENDMENTS TO ARTICLE 1 AND 5

In the original proposal, ramp inspections could only be carried out if an aircraft was suspected of non-compliance with international safety standards. The modified wording of Article 1 and 5 allows that spot-checks are also carried out, providing they are non-discriminatory (ref. Amendments 13 and 16 respectively)

3. AMENDMENTS TO ARTICLE 7

In order to avoid that documents published may lead to misinterpretation which could be detrimental to the reputation of the parties involved, a sentence has been added to ensure that technical information are presented in a comprehensible way (ref. Amendment 20).

A new sentence is also added to inform the public of the action taken on its complaints by the authorities (ref. Amendment 18).

4. AMENDMENT TO ARTICLE 9(4)

A new sub-sentence was added to be more precise regarding possible measures to improve safety in the originating countries. The amendment adopted by the European Parliament was in line with the views expressed by the Commission in its Communication "A European Community contribution to World Aviation Safety Improvement"¹. The wording of the amendment adopted by the European Parliament has been slightly changed (ref. Amendment 21).

5. AMENDMENT TO ARTICLE 13

This is only a drafting change to improve the text (ref. Amendment 22).

Having regard to Article 250 (2) of the Treaty establishing the European Community, the Commission amend its proposal as follows.

¹ COM(2001) 390 final, 16.07.2001.

Amended proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the safety of third countries aircraft using Community airports

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80 (2) thereof,

Having regard to the proposal from the Commission²,

Having regard to the opinion of the Economic and Social Committee³,

Having regard to the opinion of the Committee of the Regions⁴,

Acting in accordance with the procedure laid down in Article 251 of the Treaty⁵,

Whereas:

- (1) The Resolution adopted by the European Parliament on 15 February 1996⁶ points to the need for the Community to take a more active stance and develop a strategy to improve the safety of its citizens traveling by air or living near airports.
- (2) The Commission has issued a Communication to the Council and the European Parliament entitled Defining a Community Aviation Safety Improvement Strategy⁷.
- (3) This Communication clearly identifies that safety may be effectively enhanced by ensuring that aircraft, **as is already the case within the Community**, comply fully with the international safety standards contained in the Annexes to the Convention on International Civil Aviation, signed in Chicago on 7 December 1944.
- (4) **It is important that all aircraft may be subject to appropriate inspections.** **However**, experience has shown that some third countries do not always implement and enforce international safety standards; and that therefore, in order to improve transport safety in the Community, it is necessary for the monitoring of compliance

² OJ C 103, 30.4.2002, p. 351.

³ OJ C ..., ..., p. ...

⁴ OJ C ..., ..., p. ...

⁵ OJ C ..., ..., p. ...

⁶ Resolution B4-0150/96, OJ C 65 of 4.3.1996, p. 172.

⁷ Communication from the Commission to the Council and the European Parliament, Report by the High Level Group established by the Council Decision of 11th March 1996 addressed to the European Parliament and to the Council, Defining a Community Aviation Safety Improvement Strategy. SEC(96) 1083 final, 12.06.1996.

with international standards to be ensured ~~by the Community Member States themselves at their airports~~ **within the Community.**

- (5) The rules and procedures for ramp inspections, including aircraft grounding, should be harmonized to ensure, **by uniform methods,** consistent effectiveness in all airports throughout the Community, which in turn would also reduce the selective use of certain airports of destination by third countries aircraft trying to avoid proper control.
- (6) A harmonized approach to the effective enforcement of international safety standards by the Member States will avoid distortions of competition and benefit of the strength of a common stance **on aircraft from** ~~in the relations with~~ third countries **that fail to comply with international safety standards.**
- (7) Information gathered in each Member State should be made available to all the other Member States and the Commission in order to ensure the most efficient monitoring of the compliance of third countries aircraft with international safety standards.
- (8) For the above mentioned reasons there is a need for establishing, at Community level, a procedure for the assessment of foreign aircraft and related co-operation mechanisms between Member States to share and analyze information and draw conclusions.
- (9) Aircraft landing in the Community at any given time shall undergo an inspection when there is suspicion that they do not comply with international safety standards.
- (10) Ramp inspections may also be carried out in accordance with a spot-checks procedure on aircraft about which no particular suspicion exists, provided that it is carried out in a non-discriminatory way.**
- (11) Inspections could be stepped up in the case of aircraft in which defects have already been identified frequently in the past, or on aircraft belonging to airlines whose aircraft have frequently attracted attention**
- (12) The sensitive nature of safety related information is such that the only way to ensure the gathering of such information is by ensuring its proper usage and the confidentiality of its sources without prejudicing the right of the citizens of the Union to be informed of the efforts made to ensure their safety and of the most serious cases affecting air safety.
- (13) Aircraft on which corrective action is required must, where the identified deficiencies are clearly hazardous to safety, be grounded until such time when non-compliance with international safety standards has been rectified.
- (14) The facilities in the airport of inspection may be such that the competent authority will be obliged to authorize the aircraft to proceed to an appropriate airport, provided that conditions for a safe transfer are complied with.
- (15) It is necessary for the Commission to draft measures in relation to specific cases of safety hazards as well as for the implementation of requirements of Articles 4, 5 and 6, a Committee shall be created and a procedure established for close co-operation between the Member States and the Commission within that Committee. **The Commission should place at the disposal of the committee statistics and information collected in compliance with other Community measures concerning**

specific incidents that could be relevant to uncovering defects that represent a threat to safety.

(16) It is necessary to take into account the cooperation and information exchanges occurring within the Joint Aviation Authorities (JAA) and European Civil Aviation Conference (ECAC) framework and the greatest possible use should be made of existing expertise in the matter of Safety Assessment of Foreign Aircraft (SAFA) procedures, in particular should the management of this activity be transferred later to the European Aviation Safety Agency (EASA).

(17) Since the measures necessary for the implementation of this Directive are measures of general scope within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁸, they should be adopted by use of the regulatory procedure provided for in Article 5 of that Decision.

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Objective

The purpose of this Directive shall be to contribute to the improvement of air safety by ensuring that:

- information is collected and disseminated so that sufficient evidence can be established to decide on measures required to ensure the safety of the travelling public as well as of people on the ground;
- third country aircraft, their operation and crew are inspected, **in particular** whenever there is reasonable suspicion that international safety standards are not being met and such aircraft are grounded if this is necessary to ensure immediate safety;
- appropriate measures for rectification of identified shortcomings are decided and implemented.

Article 2

Scope

This Directive shall apply to third country aircraft landing at airports located in the Member States.

State aircraft, as defined in the Convention on International Civil Aviation signed in Chicago on 7 December 1944, (hereinafter referred to as "the Chicago Convention"), and aircraft of a maximum take off weight of less than 5 700 kg not engaged in commercial air transport shall be excluded from the scope of this Directive.

⁸ OJ L 184, 17.7.1999, p. 23.

This Directive shall not, however, limit the Member States' right, with due regard to Community law, to carry out inspection of, ground, ban, or impose conditions on, any aircraft landing at its airports.

Article 3

Definitions

For the purpose of this Directive:

"grounding" means the formal prohibition of an aircraft to leave an airport, and the taking of such steps as are necessary to detain it;

"international safety standards" means the safety standards contained in the Chicago Convention and its Annexes as in force at the time of the inspection;

"ramp inspection" means the examination of third country aircraft in accordance with Annex II;

"third country aircraft" means an aircraft which is not used or operated under the control of a competent authority of a Member State.

Article 4

Collection of information

Member States shall put in place a mechanism to collect any information deemed useful for the fulfilment of the objective stated in Article 1, including:

- (a) important safety information accessible, especially, through:
 - pilots reports,
 - maintenance organisation reports,
 - incidents reports,
 - other organisations, independent from the competent authorities of the Member States,
 - complaints;
- (b) information on action taken subsequent to a ramp inspection, such as:
 - aircraft grounded,
 - aircraft or operator banned from the country,
 - corrective action required,
 - contacts with operator's competent authority;

- (c) follow-up information concerning the operator, such as:
- corrective action implemented,
 - recurrence of discrepancy.

This information shall be kept, using a standard report form containing the items described, in the form set out in Annex I.

Article 5

Ramp inspection

1. Each Member State shall put in place the appropriate means to ensure that third country aircraft suspected of non-compliance with international safety standards landing at any of its airports open to international air traffic shall be subject to ramp inspections. In implementing such procedures, particular attention shall be given by the competent authority to aircraft:
 - where information has been received indicating poor maintenance condition or obvious damage or defects;
 - which have been reported as performing abnormal manoeuvres since entering the airspace of a Member State such as to give rise to serious safety concerns;
 - in respect of which a previous ramp inspection has revealed deficiencies which give rise to serious concern that the aircraft does not comply with international standards and where the Member State is concerned that the defects may not have been corrected;
 - there is evidence that the competent authorities of the country of registration may not be exercising proper safety oversight; or
 - where information collected under Article 4 gives cause for concern about the operator or where a previous ramp inspection of an aircraft used by the same operator has revealed deficiencies.
- 2. Ramp inspections may also be carried out in accordance with a spot-checks procedure in the absence of any particular suspicion. Such a procedure shall, however, be carried out in a non-discriminatory manner.**
- 3.** Member States shall ensure that appropriate ramp inspections and other surveillance measures as decided within the framework of Article 9(3) will be implemented.
- 4.** The ramp inspection shall be performed according to the procedure described in Annex II and using a ramp inspection report form containing at least the items described in the form appended to Annex II. On completion of the ramp inspection, the commander of the aircraft shall be informed of the contents of the ramp inspection report, and if defects have been found, the report shall be sent to the operator of the aircraft and to the competent authority concerned.

5. When executing a ramp inspection under this Directive, the competent authority shall make all possible efforts to avoid an unreasonable delay of the aircraft inspected.

Article 6

Exchange of information

1. The competent authorities of the Member States shall participate in a mutual exchange of information.
2. All standard reports referred to in Article 4 and the ramp inspection reports referred to in Article 5(3) shall be made available without delay to the competent authorities of the Member States and the Commission, at their request.
3. Whenever a standard report shows the existence of a potential safety threat, or a ramp inspection report shows that an aircraft does not comply with international safety standards and may pose a potential safety threat, the report will be communicated without delay to each competent authority of the Member States and the Commission.

Article 7

Protection and dissemination of information

1. The information exchanged in accordance with Article 6 shall be used solely for the purpose of this Directive and its access shall be limited to the participating competent authorities and the Commission.
2. Each Member State shall publish half yearly information available to the public concerning:
 - the number of aircraft grounded during the previous six month period, including in particular the type of aircraft, the name and country of the operator, the State of registration, the reason for grounding and the airport and date of grounding, as well as any corrective measures notified as a consequence of the grounding,
 - type of aircraft, State of registration and name and country of the operators whose aircraft has been detained more than once during the past 24 months, the reason for grounding and the airport and date on which the grounding was imposed, as well as any corrective measures notified as a result of the grounding,
 - the list of airports open to international traffic, the number of ramp inspections carried out and the number of movements of third country aircraft at each airport on the list,
 - the number of ramp inspections communicated in accordance with the provisions of Article 6, paragraph 3,

- **summary outlines of complaints relating to aircraft safety and of the action taken on such complaints.**

The published reasons for the grounding of an aircraft shall be kept simple, easy to understand and unambiguous.

3. The Commission may, in accordance with the procedure laid down in Article 11(2), decide on the release of supplementary information to parties likely to benefit from it with regard to improving air safety.
4. Confidentiality of information given voluntarily, in particular by the crew of aircraft subjected to ramp inspections, will be ensured by de-identifying extensively the source of such information.

Article 8

Grounding of aircraft

1. Where non-compliance with international safety standards is clearly hazardous to safety, the competent authority performing the ramp inspection shall ground the aircraft until the hazard is removed.
2. In the event that an aircraft is grounded, the competent authority of the Member State where the inspection took place shall immediately inform the competent authorities of the operator concerned and of the state of registration of the aircraft.
3. If the hazard is such that the aircraft may be safely flown without fare-paying passengers or cargo, the competent authority of the Member State where the inspection took place shall, in co-ordination with the State responsible for the operation of the aircraft concerned, prescribe the necessary conditions under which the aircraft could be allowed to fly safely, without fare-paying passengers or cargo, to an airport at which the deficiencies could be corrected, and inform the States which will be overflown by such aircraft.

Article 9

Safety improvement and implementation measures

1. Member States shall report to the other Member States and to the Commission on the operational measures taken and the resources allocated to implementing the requirements of Articles 4, 5 and 6.
2. On the basis of the information collected under paragraph 1, the Commission may, in accordance with the procedure laid down in Article 11(2), take any appropriate measures to facilitate the implementation of Articles 4, 5 and 6 such as:
 - establish the list of information to be collected;
 - detail the content of, and procedures for, ramp inspections;
 - define the format for the storage and dissemination of data;

- create or support the appropriate bodies for managing or operating the tools necessary for the collection and exchange of information.
3. On the basis of the information received under Articles 4, 5 and 6, and in accordance with the procedure laid down in Article 11(2), a decision may be taken on appropriate ramp inspection and other surveillance measures, in particular of a specific operator or of operators of a specific third country pending the adoption by the competent authority of that third country of satisfactory arrangements for corrective measures,
 4. The Commission may take any appropriate measures to co-operate with and assist third countries to improve their aviation safety oversight capabilities **including assistance to bring their local safety facilities and their staff up to standards in force in the Community.**

Article 10

Imposition of a ban or conditions on operation

If a Member State decides to ban or impose conditions on the operation of a specific operator or operators of a specific third country from its airports pending the adoption by the competent authority of that third country of satisfactory arrangements for corrective measures:

- a) that Member State shall notify the Commission of the measures taken;
- b) the Commission may, in consultation with the Committee laid down in Article 11(1), identify the Community-wide implications of the perceived safety hazard;
- c) the Commission may, in accordance with the procedure laid down in Article 11(2), take any measure deemed necessary including the extension to the Community of the measures notified under (a).

Article 11

Procedure for decisions

1. The Commission shall be assisted by the committee instituted by Article 12 of Council Regulation (EEC) n° 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation⁹.
2. Where reference is made to this paragraph, the regulatory procedure laid down in Article 5 of Decision 1999/468/EC shall apply, in compliance with Article 7 (3) and Article 8 thereof.
3. The period provided for in Article 5(6) of Decision 1999/468/EC shall be three months.

⁹ OJL 373, 31.12.1991, p. 4.

4. The Committee may furthermore be consulted by the Commission on any other matter concerning the application of this Directive such as the identification of the Community-wide implications of the perceived safety hazard as provided for in Article 10.

Article 12

Implementation

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive two years after its entry into force at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 13

Report

Not later than^(*), the Commission shall **submit** ~~draw up~~ a report **to the European Parliament and the Council** on its application, and in particular on Article 10, which, inter alia, takes into account developments in the Community and in international fora. The report may be accompanied by proposals for a revision of this Directive.

Article 14

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

Article 15

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

^(*) two years after the entry into force of this Directive.

ANNEX I



National Aviation Authority (*Name*)

(*State*)

SAFA

Standard Report

¹NR: _____

²Source:SR

³Date:
⁵ (Unused)

⁴ Place:

⁶Operator:

⁷AOC number:

⁸State:

⁹Route: from

¹⁰Flight number:

¹¹Route: to

¹²Flight number:

¹³Chartered by Operator*:

¹⁴Charterer's State: . . .

* (where applicable)

¹⁵Aircraft Type

¹⁶Registration mark

¹⁷Construction number

¹⁸Flight crew: State of licensing:

¹⁹Remarks:

.....
.....
.....
.....
.....
.....
.....

²⁰Action taken:

.....
.....
.....
.....
.....
.....
.....

²¹ (Unused)

²²National Co-ordinator's name

²³Signature

ANNEX II

- I. The ramp inspection should cover all or a selection of the following aspects, according to the time available.
1. Checking for presence and validity of the documents necessary for international flights such as: registration certificate, log book, certificate of Airworthiness, crew licenses, radio license, list of passengers and freight...
 2. Check that flight crew composition and qualification comply with the requirements of Annex 1 and Annex 6 to the Chicago convention (ICAO annexes).
 3. Check of operational documentation (flight data, operational flight plan, technical log), and of flight preparation necessary to show that the flight is prepared according to ICAO annex 6.
 4. Check for presence and status of items required for international navigation according to ICAO, annex 6.
 - Air operator certificate
 - Noise and Emission Certificate
 - Operation manual (including MEL¹⁰) and flight manual.
 - Safety equipment
 - Security cabin equipment
 - Equipment necessary for the specific flight including radio communication and radio navigation equipment
 - Flight recorders.
 5. Check that the condition of the aircraft and its equipment (including damages and repairs) ensures continuous compliance with ICAO annex 8 standards.
- II. A ramp inspection report must be established after the ramp inspection and must include standard general information described hereunder, and a list of items checked together with an indication of any deficiencies found for each of these items, or of any specific remark is necessary.

¹⁰ Minimum Equipment List



National Aviation Authority (Name)
(State)

SAFA

Ramp Inspection Report

¹NR: _____

²Source: RI

³Date: _____

⁵Local time: _____

⁴Place: _____

⁶Operator: _____

⁸State: _____

⁷AOC number: _____

⁹Route: from _____

¹¹Route: to _____

¹⁰Flight number: _____

¹²Flight number: _____

¹³Chartered by Operator* _____

* (where applicable)

¹⁴Charterer's State: . _ _

¹⁵Aircraft Type _____

¹⁶Registration mark _____

¹⁷Construction number _____

¹⁸Flight crew: State of licensing: _____

¹⁹Remarks:

Code / Std / Remark

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

²⁰Action taken:

²¹Inspector's names: _____

This report represents an indication on which was found on this occasion and must not be construed as a determination that the aircraft is fit for the intended flight.

²²National Co-ordinator's name

²³Signature

National Aviation Authority (Name)
(State)

Item	Checked	Remark
A. Flight Deck		
General		
1. General Condition.....	1 <input type="checkbox"/>	1 <input type="checkbox"/>
2. Emergency Exit.....	2 <input type="checkbox"/>	2 <input type="checkbox"/>
3. Equipment.....	3 <input type="checkbox"/>	3 <input type="checkbox"/>
Documentation		
4. Manuals.....	4 <input type="checkbox"/>	4 <input type="checkbox"/>
5. Checklists.....	5 <input type="checkbox"/>	5 <input type="checkbox"/>
6. Radio Navigation Charts.....	6 <input type="checkbox"/>	6 <input type="checkbox"/>
7. Minimum Equipment List.....	7 <input type="checkbox"/>	7 <input type="checkbox"/>
8. Certificate of registration.....	8 <input type="checkbox"/>	8 <input type="checkbox"/>
9. Noise certificate (where applicable).....	9 <input type="checkbox"/>	9 <input type="checkbox"/>
10. AOC or equivalent.....	10 <input type="checkbox"/>	10 <input type="checkbox"/>
11. Radio licence.....	11 <input type="checkbox"/>	11 <input type="checkbox"/>
12. C of A.....	12 <input type="checkbox"/>	12 <input type="checkbox"/>
Flight data		
13. Operational flight plan.....	13 <input type="checkbox"/>	13 <input type="checkbox"/>
14. Load distribution.....	14 <input type="checkbox"/>	14 <input type="checkbox"/>
Safety Equipment		
15. Hand fire extinguishers.....	15 <input type="checkbox"/>	15 <input type="checkbox"/>
16. Life jackets / flotation device.....	16 <input type="checkbox"/>	16 <input type="checkbox"/>
17. Harness.....	17 <input type="checkbox"/>	17 <input type="checkbox"/>
18. Oxygen equipment.....	18 <input type="checkbox"/>	18 <input type="checkbox"/>
19. Flash Light.....	19 <input type="checkbox"/>	19 <input type="checkbox"/>
Flight Crew		
20. Flight crew.....	20 <input type="checkbox"/>	20 <input type="checkbox"/>
Journey Log Book / Technical Log or equivalent		
21. Journey Log Book.....	21 <input type="checkbox"/>	21 <input type="checkbox"/>
22. Maintenance release.....	22 <input type="checkbox"/>	22 <input type="checkbox"/>
23. Deferred defect rectification.....	23 <input type="checkbox"/>	23 <input type="checkbox"/>
24. Preflight inspection.....	24 <input type="checkbox"/>	24 <input type="checkbox"/>
B. Safety / Cabin		
1. General Internal Condition.....	1 <input type="checkbox"/>	1 <input type="checkbox"/>
2. Cabin Attendant's seat.....	2 <input type="checkbox"/>	2 <input type="checkbox"/>
3. First Aid Kit/ Emergency medical kit.....	3 <input type="checkbox"/>	3 <input type="checkbox"/>
4. Hand fire extinguishers.....	4 <input type="checkbox"/>	4 <input type="checkbox"/>
5. Life jackets / Flotation devices.....	5 <input type="checkbox"/>	5 <input type="checkbox"/>
6. Seat belts.....	6 <input type="checkbox"/>	6 <input type="checkbox"/>
7. Emergency exit, lighting and marking, Torches.....	7 <input type="checkbox"/>	7 <input type="checkbox"/>
8. Slides /Life-Rafts (as required).....	8 <input type="checkbox"/>	8 <input type="checkbox"/>
9. Oxygen Supply (Crew and Passengers).....	9 <input type="checkbox"/>	9 <input type="checkbox"/>
10. Safety Instructions.....	10 <input type="checkbox"/>	10 <input type="checkbox"/>
11. Sufficient number of cabin crew members.....	11 <input type="checkbox"/>	11 <input type="checkbox"/>
12. Access to emergency exits.....	12 <input type="checkbox"/>	12 <input type="checkbox"/>
13. Safety of passenger baggage.....	13 <input type="checkbox"/>	13 <input type="checkbox"/>
14. Sufficient seat capacity.....	14 <input type="checkbox"/>	14 <input type="checkbox"/>
C. Aircraft Condition		
1. General external condition.....	1 <input type="checkbox"/>	1 <input type="checkbox"/>
2. Doors and hatches.....	2 <input type="checkbox"/>	2 <input type="checkbox"/>
3. Flight controls.....	3 <input type="checkbox"/>	3 <input type="checkbox"/>
4. Wheels and tyres.....	4 <input type="checkbox"/>	4 <input type="checkbox"/>
5. Undercarriage.....	5 <input type="checkbox"/>	5 <input type="checkbox"/>
6. Wheel well.....	6 <input type="checkbox"/>	6 <input type="checkbox"/>
7. Intake & exhaust nozzle.....	7 <input type="checkbox"/>	7 <input type="checkbox"/>
8. Fan blades.....	8 <input type="checkbox"/>	8 <input type="checkbox"/>
9. Propellers.....	9 <input type="checkbox"/>	9 <input type="checkbox"/>
10. Obvious repairs.....	10 <input type="checkbox"/>	10 <input type="checkbox"/>
11. Obvious unrepaired damage.....	11 <input type="checkbox"/>	11 <input type="checkbox"/>
12. Leakage.....	12 <input type="checkbox"/>	12 <input type="checkbox"/>
D. Cargo		
1. General condition of cargo compartment.....	1 <input type="checkbox"/>	1 <input type="checkbox"/>
2. Dangerous Goods.....	2 <input type="checkbox"/>	2 <input type="checkbox"/>
3. Security of cargo on board.....	3 <input type="checkbox"/>	3 <input type="checkbox"/>

LEGISLATIVE FINANCIAL STATEMENT

1. TITLE OF OPERATION

Proposal for a Directive of the European Parliament and of the Council on the Safety of Third countries Aircraft using Community Airports.

2. BUDGET HEADING INVOLVED

B2.702 Transport Safety and A-7031 Obligatory Committees.

3. LEGAL BASIS

Article 80(2) EC Treaty

4. DESCRIPTION OF OPERATION

4.1 General objective

To contribute to the improvement of air safety by assessing the safety of third countries aircraft using Community airports.

4.2 Period covered and arrangements for renewal

Undefinite

5. CLASSIFICATION OF EXPENDITURE OR REVENUE

5.1 Non-compulsory expenditure

5.2 Differentiated appropriations

6. TYPE OF EXPENDITURE OR REVENUE

Subsidy for joint financing with other sources in the public sector

7. FINANCIAL IMPACT

7.1 Method of calculating total cost of operation (relation between individual and total costs)

The costs of the whole programme for the next five years have been calculated using the standards for National Civil Aviation Authorities in Europe, these costs are presently used for budgetary estimations in other international organisations such as ECAC and JAA (European Civil Aviation Conference and Joint Aviation Authorities). This is due to the fact that the activities covered by this Directive will be developed in close co-operation with these two organisations.

The standards are as follows: -manpower: EURO 400 per man/day; -subsistence allowance EURO 200 per day; -average travel costs: EURO 1000 per journey.

The yearly running costs of the total programme have been estimated at EURO 728 950. It is suggested that the Commission participation be limited to around 12% that is to say 85 000 EURO.

7.2 Itemised breakdown of cost

Average yearly cost of 85 000 EURO that will be renewed annually.

7.3 Operational expenditure for studies, experts etc. included in Part B of the budget

See below.

7.4 Schedule of commitment and payment appropriations

Average yearly cost of 85 000 EURO that will be renewed annually.

8. FRAUD PREVENTION MEASURES

Control on the basis of justifications by the competent services of the Commission and, if necessary, control on site.

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1 Specific and quantified objectives; target population

- The objective is to contribute to the improvement of air safety by ensuring that third countries carriers do comply with international safety standards. In order to reach this goal, it will be necessary to make inspection of foreign aircraft landing at Community airports, to collect and disseminate information on these aircraft and to take measures to ensure that corrective actions are taken.

- The subsidy will be given to the international organisation (JAA) which will organise and co-ordinate the whole programme on behalf of the individual States.

- As the general objective is to improve safety by ensuring third countries carriers offer acceptable compliance with international safety standards, the main target population will be all the European travelling public as well as the populations living in the vicinity of airports.

9.2 Grounds for the operation

Each individual Member State will be responsible for the inspections carried out on its airports but a co-ordinated programme including the storage and dissemination of data as well as supplying temporary reinforcement inspectors will be the most cost-effective way to ensure an even application of the programme in the Community, avoiding the risk of third countries carrier using specific airports or Member States to circumvent the inspections.

9.3 Monitoring and evaluation of the operation

The Commission will be closely monitoring the management of the programme by participating in a specially set up Programme Steering Committee

10. ADMINISTRATIVE EXPENDITURE (SECTION III, PART A OF THE BUDGET)

Actual mobilization of the necessary administrative resources will depend on the Commission's annual decision on the allocation of resources, taking into account the number of staff and additional amounts authorized by the budgetary authority.

10.1 Effect on the number of posts

Type of post		Staff to be assigned to managing the operation		Source		Duration
		Permanent posts	Temporary posts	Existing resources in the DG or department concerned	Additional resources	
Officials or temporary staff	A	1		1		indefinite
	B	1		1		indefinite
	C					
Other resources						
Total		2		2		

10.2 Overall financial impact of human resources

EURO

	Amounts	Method of calculation
Officials	216 000	2 man/year x 108.000 € (unit cost) = 216 000 € Headings A1, A2, A4, and A5
Temporary staff		
Other resources (indicate budget heading)		
Total	216 000	

The amounts given must express the total cost of additional posts for the entire duration of the operation, if this duration is predetermined, or for 12 months if it is indefinite.

10.3 Increase in other administrative expenditure as a result of the operation

EURO

Budget heading	Amounts	Method of calculation
A-07031 (obligatory committees)	19 500	2 meetings of the Committee with 15 national experts at an average of EURO 650
Total	19 500	

The expenditures set out in the above table under heading A-7 (obligatory committees) will be covered by credit within the DG TRANS global envelope.