

COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

COUNCIL DIRECTIVE

on the definition and use of compatible technical and
operating specifications for the procurement of
air traffic management equipment and systems

(presented by the Commission)

PROPOSAL FOR A COUNCIL DIRECTIVE ON THE DEFINITION AND USE OF COMPATIBLE
TECHNICAL AND OPERATING SPECIFICATIONS FOR THE PROCUREMENT OF AIR TRAFFIC
MANAGEMENT EQUIPMENT AND SYSTEMS

EXPLANATORY MEMORANDUM

I. INTRODUCTION

1. Air transport is causing increasing concern in Europe. The aim of the Common Air Transport Policy is to reorganize the civil aviation sector and make it more competitive.

To achieve the objectives of this Community policy we must adopt measures to liberalize air transport and certain back-up measures. Action is also needed to prevent any erosion of safety margins in the air traffic control system whilst nevertheless increasing its capacity.

2. In a report sent to the Member States in 1983, the Commission identified certain bottlenecks and in 1988 it submitted to the Council three proposals intended to help solve capacity problems in the air traffic system. The proposals were that:

- the EUROCONTROL statutes should be so amended as to allow the Community to accede to that body;
- all the Member States should accede to EUROCONTROL;
- any steps taken by one Member State to organize its airspace should be notified to the Commission so that the latter might inform the other Member States.

None of these proposals was included in the Resolution adopted by the Ministers.¹

The situation is still such as to present a major barrier to the future growth of civil aviation and tourism, with all the disadvantages this implies for freedom of movement. Whilst it is true that air space management and air traffic control are a states' responsibilities, it is also the case that the limitations of a national system affect the systems of neighbouring states and, therefore, the capacity of a region as a whole. Current problems must therefore be tackled at European level.

3. In its Resolution of 15 September 1987,² Parliament stressed the problem and asked for various measures to be adopted whilst the Council Resolution of 18 July 1989¹ called on the Commission to collaborate closely with EUROCONTROL in drawing-up proposals for Community specifications relating to air control.

4. There are several factors which combine to limit the capacity of the air traffic control system. The most important may be summarized as follows:

- (a) given the present segmentation of air space, traffic is massively concentrated in particular sectors and this considerably complicates the task of the air traffic control services. As a consequence, aircraft cover distances on average 10% greater than the direct journey.

1 89/C/189/02

2 Doc. A2-135/87

(b) We often do not make optimum use of airspace because:

- the boundaries are generally set in line with national frontiers rather than operating requirements;
- the system of mandatory air corridors usually means that it is not possible to exploit the ability of modern aircraft to track a route very precisely and independently of the siting of navigation aids.

(c) Air traffic control services (ATC) are provided by numerous centres which are not coordinated in any way and whose technical characteristics differ fundamentally because there is no coordination.

(d) The number of air controllers in post cannot satisfactorily meet the demands of air traffic due to the current capacity of their equipment.

(e) The incompatibility of the equipment used in Europe is due to lack of cooperation and coordination over the planning and implementation of systems. For instance, in most cases flights are still transferred from one control centre to another by telephone. Communications are therefore difficult, controllers have more coordination tasks to perform than necessary and the available airspace cannot be used to the full.

(f) Eurocontrol adopts technical specifications so that an integrated system of equipment for deployment in the Member States can be established.

- (g) However, on the question of the kind of support equipment that EUROCONTROL has shown to be necessary for air traffic management, the European standards bodies should also play their full part wherever such equipment has multi-disciplinary applications and uses. Technical cooperation between EUROCONTROL and those bodies is necessary to ensure optimum coordination of available resources and the setting up of standardized communication and information systems.
 - (h) The saturation, for varying periods, of some of the big airports and those from which holiday flights depart (runways, terminals, parking spaces) has aggravated the problems of controlling air traffic between terminals. It is not easy to enlarge existing airports or build new ones since environmental factors and budgets have to be considered.
 - (i) Some airlines have extremely tight schedules for their equipment and staff. A delay of a few hours due to congestion at an airport or in airspace may affect the availability of aircraft or crews and, in the worst case, cause delays of 24 hours or more.
5. The capacity of the air traffic control system will probably have to be constantly increased. Community law on interregional air services, fares, capacity and access to the market are intended to help airlines avoid congested areas.

The European Civil Aviation Conference forecasts that, if economic trends are favourable, air traffic will double by the year 2005 unless prevented by the lack of capacity of airports and air traffic control systems. Congestion may be remedied to some extent by the use of larger-capacity equipment.

6. The margin of manoeuvre the airlines have been left by the air transport liberalization measures to be introduced under Community policy will be insufficient to counterbalance the pressure exercised by air traffic control. It is quite clear that in its present form the system cannot cope even if we allow for the fact that the high-speed rail system will capture part of the traffic.

It is accepted that we will need a whole raft of measures to resolve Europe's present and future capacity problems without undermining present high safety standards. It is also clear that coordinated air traffic management can play a key role in the efficient use of the air traffic system as a whole.

This Directive is one of those measures the Community must introduce immediately, independently of any other action.

II. SCOPE OF THE DIRECTIVE

7. As the air traffic management system is a complex whole in which technical components and human beings are interlinked and interact closely, there are several measures which must be taken simultaneously, e.g.:

- (a) As communication between control systems is one of the weakest links, it should be made a general requirement to use procedures for transmitting digital data between ground computers and to establish the necessary communication protocols. In some instances it will also be necessary to improve the quality of the radio-telephone links between controllers and voice communication links between pilots and controllers. Problems of pronunciation and the simultaneous use of English and the local language further complicate the problem. The solution may be the technical one of reducing the volume of communications.

For instance, creating a system for the medium term which involves transferring digital data between ground computers and aircraft would reduce the volume of voice communications required and, thereby, increase the productivity of controllers. In the long-term, and for reasons of cost and efficiency, satellite navigation may in certain circumstances replace present systems of communication.

- (b) The importance of compatibility between neighbouring systems has long been overlooked and has given rise to a multiplicity of procedures and different forms of organization and technical equipment. To some extent these differences may be justified by the environment and the traffic conditions in which the systems have to operate. But they represent a serious barrier to the introduction of sophisticated automated procedures in adjacent sectors of airspace (e.g.: the smooth transfer of aircraft from one centre to another) and, therefore, to the full exploitation of the capacity of the most advanced centres. To obtain the best results, all the systems should be standardized and compatible, as in the United States and France.

Greater compatibility would also reduce costs and common specifications for equipment would clearly benefit European industrialists.

- (c) Automation is one of the main ways of helping controllers to process larger volumes of traffic without compromising safety. It would also allow greater flexibility in routing and might extend the horizontal capabilities of the present area navigation systems whilst at the same time exploiting the potential of the technology of modern aircraft.

III. INSTITUTIONAL ENVIRONMENT: EUROCONTROL

8. The amended EUROCONTROL Convention of 1981 reflects the commitment of the contracting states to "establish common long-term objectives in the field of air navigation and, in that framework, to institute a Common Medium-Term Plan for air traffic services and facilities".¹

Similarly EUROCONTROL is required "to co-ordinate the medium-term national plans in order to establish a Common Medium-Term Plan in respect of air traffic services and facilities within the framework of the long-term objectives referred to above".²

9. Decision of the Ministers of Transport of the ECAC States

In October 1988 the Ministers decided to harmonize national plans, procedures, equipment and techniques across the whole of Europe. They called on EUROCONTROL to draw up common operational and technical standards for all European countries and to do so within the Common Medium-Term Plan (CMTF).

In April 1990 the Ministers of Transport adopted the "ECAC Strategy for the 1990s" and called on EUROCONTROL to manage the strategy in such a way as to allow all Continental ECAC States to participate. The strategy is based on the principles set out in the CMTF.

More recently, in March 1992, at a meeting of ECAC Ministers in London, the five new States³ of East and Central Europe were included in the strategy.

¹ Article 1 § 1(a) of the EUROCONTROL Convention of 1981.

² Article 2 § 1(b) and (c) of the EUROCONTROL Convention of 1981.

³ Bulgaria, Hungary, Poland, Romania and the Czech and Slovak Federal Republic.

10. Common Medium-Term Plan

(a) Origin of the CMT

In 1985 EUROCONTROL's Committee of Management gave its Planning Working Group (PWG) a remit to draw up a Common Medium-Term Plan (CMT).

(b) Function of the CMT

- (i) to identify the operational and technical measures required for transforming the existing air traffic management systems first into a harmonized and, later, an integrated ATM System to be developed within the framework of the concept;
- (ii) to establish jointly agreed specific objectives and Lines of Action, common and National Associated Programmes, Standards, and relevant timetables, as a basis for achieving a level of harmonization and integration consistent with the efficient provision of Air Traffic Services within the airspace of the Organization and adjacent States;
- (iii) to enable the National Administrations to develop their plans so as to meet the following operational objectives laid down in the ECAC Strategy for the 1990's:
 - The air traffic services route network and airspace structure is to be optimized, by means of the widespread application of area navigation from 1993 onwards.

- Comprehensive radar coverage is to be in place throughout the Continental ECAC area by 1995 at the latest.
- En-route radar separation of 5 NM is to be applied throughout high-density areas by 1995 at the latest. Elsewhere, en-route radar separation of 10 NM is to be applied by the same date.
- Air traffic control systems are to be progressively integrated, after being harmonized in high-density areas by 1995 at the latest and elsewhere not later than 1998.
- Automatic data communication between air traffic control centres is to be in place by 1998 at the latest.
- the Mode S air/ground data link is to be operational in a central area from 1998 onwards.

(iv) to allow monitoring of the Implementation Strategy by facilitating comparison between national plans and their timetables and the timetables for the common objectives.

(c) Status of the CMTP

1. The CMTP is a statement of the Member States' firm joint intentions on how to develop and implement the Future European ATM System in accordance with the principles laid down in the Concept and the operational objectives laid down in the FEATS and ECAC Strategies.

2. All objectives contained in the CMTTP pertain to subjects that are dealt with by EUROCONTROL Working Groups and Specialist Panels, and/or similar ICAO bodies, in which national authorities and user organizations are represented. In addition, the work of the EUROCONTROL Working Groups and Panels is monitored by the Committee of Management. Consequently, before a particular objective is included in the CMTTP, the definition of the corresponding Lines of Action and the rate at which progress is expected to be achieved will have been agreed jointly at various working levels and endorsed by the Committee of Management.

(d) Approval and amendment of the CMTTP

1. As stipulated in the provisions of the amended Convention [Articles 6.1(a) and 7.1], the Committee of Management submitted the CMTTP to the Permanent Commission for decision.
2. Following the decision taken by the Permanent Commission, the CMTTP is now a reference document for the development of the EUROCONTROL Air Traffic Management System.
3. Amendments to Lines of Action and associated programmes in the CMTTP are approved by the Committee of Management on the basis of proposals prepared by its Planning Working Group.
4. Whenever there are substantial changes to objectives, the Committee of Management submits the revised version of the CMTTP to the Permanent Commission for decision.
5. The Committee of Management submits draft technical specifications, known as EUROCONTROL Standards, amendments to existing EUROCONTROL Standards and mandatory timetables to the Permanent Commission for decision.

6. The Advisory Committee to be set up under the Directive will have the task of ensuring that these technological changes are consistent.

(e) Structure of the CMTP

The CMTP has 9 chapters or areas of activity:

Surveillance, Air/Ground Communications, Ground/Ground Communications, Navigation, ATC, ATFM, ASM, AIS and Human Resources.

The Standards and the corresponding common specifications/requirements are described in appropriate documents, which must identify clearly what is a Standard and what is only a recommendation or guidance material. Once approved, these documents form an integral part of the CMTP.

(f) EUROCONTROL technical specifications

Under the CMTP, EUROCONTROL has already issued technical specifications for such equipment as it considered essential.

A EUROCONTROL Standard is defined as, "Any specification for physical characteristics, configuration, material, performance, personnel or procedure, the uniform application of which is recognized as essential for the implementation of an integrated ATS system in EUROCONTROL Member States."¹

These Standards must conform to ICAO Standards and are issued to fill any gaps left by ICAO, to complement or give more details in respect of existing Standards.

¹ EUROCONTROL Common Medium-Term Plan (EUROCONTROL Publication).

By contrast with ICAO Standards where the main aim is standardization and safety, EUROCONTROL Standards are intended to help develop compatible systems and ensure their integration.

EUROCONTROL has also drawn up harmonization directives. In order to allow the constant updating of the Standards, specific presentation procedures are prescribed and, in drafting and presentation, the EUROCONTROL Standards must also comply with the international ISO Standards. In addition EUROCONTROL, the Commission and the European standards bodies have established contact with a view to examining possible cooperation procedures and defining their respective areas of activity.

IV. THE COMMISSION'S APPROACH

The Commission advocates using EUROCONTROL Standards and possibly even the common specifications for Community purposes, the intention being to provide direct back-up for the harmonization already undertaken (by the Member States and the Community and, indirectly, other European States) through the ECAC Strategy for the 1990s and the European ATC Harmonization and Integration Programme (EATCHIP).

In the short term, the Commission's aim is to ensure coordination of the Member States' activities on the air traffic system in general and on technical harmonization in particular. The Commission would be authorized to use the legal instruments which the Community may issue to impose technical specifications drawn up by other bodies and could therefore give EUROCONTROL's various instruments greater weight by issuing them in the form of technical rules mandatory throughout the Community.

With this Directive the aim is to align a number of technical specifications at Community level in order to improve communications and obtain greater technical compatibility. The Commission therefore proposes using the technical specifications drawn up by EUROCONTROL and thereby promote standardization at European level. In doing so it is meeting the wishes expressed in the Council Resolution of 1989. The main purpose of the Directive's provisions is to integrate EUROCONTROL Standards into Community law whilst at the same time aiming to establish the highest possible level of air safety.

The wording of the Directive allows for problems arising in EUROCONTROL in connection with the adoption of technical specifications. The Commission must be able to issue proposals aimed at resolving any difficulties occurring in EUROCONTROL's adoption procedures. For instance, the Commission could find itself having to draw up proposals or proposing that the European standards bodies be given mandates to draw up standards.

Equally, the Member States of the European Community might implement a EUROCONTROL standard if, when acting within EUROCONTROL, they all came out in favour of that standard.

Where the long term is concerned, let us remind ourselves of the Commission's stated aim, namely to unify the various national systems. In the Commission's view the solutions adopted by the ECAC - inter alia the Common Medium-Term Plan (CMTF) - will not provide all the answers to the structural problems (i.e. the multiplicity of systems in Europe) and therefore represent only a stage on the way to the creation of a European system which must achieve a sufficient level of integration to ensure that the user perceives it as a single system.

In its proposal for trans-European networks, the Commission had already proposed:

- creating uniform systems for the management of airspace;
- drawing up a truly European policy on air transport infrastructure.

With the current initiative, the medium-term aim is to turn the air transport network into one of the Community's basic infrastructures. The Commission will not fail to submit a proposal to this effect.

As the present air traffic situation amply demonstrates, the deployment of air traffic management systems on the basis of purely national considerations has resulted in the fragmentation of airspace and incompatibility between different items of equipment purchased in accordance with national specifications and differing procedures. Action by the Community is fully justified if the objective is rational and efficient organization.

It should also be remembered that the Commission requested DG XIII to do a study on the technologies to be used for air traffic management beyond the year 2005. This is consistent with the long-term objective of putting standardized systems in place. The intention is to incorporate the results of this work in the activities of ICAO, ECAC and EUROCONTROL in the same areas.

V. TECHNICAL CONTENT OF THE PROPOSAL

The Annex to the proposal for a Directive is a list of technical specifications which the Commission would like to see the Member States apply in the near future. Once approved by EUROCONTROL, and included in this Directive, the specifications will become mandatory and compliance can be enforced by virtue of their being Community law.

Examples are:

1. OLDI:

These are specifications for the use of "OLDI" messages (On-Line Data Interchange). One of the aims is to eliminate certain manual operations by transferring data from one computer in one control centre to another computer in another centre. With this standard it will also be easier to update flight plan related data and, if necessary, transmit them to a centre in another Member State. OLDI also defines the format for data relating to every controlled flight.

2. ASTERIX (radar data exchange):

This specification defines the formats to be used for exchanging messages between radar stations. The messages relate to data processed by the radar stations, the data being transmitted by ground/ground data links. The specifications will enable controllers of adjacent airspace sectors to use the same data and/or radar images.

3. Specifications for linking up networks (of the RADNET or RENARD type):

The advantage of the RADNET and RENARD specifications is that they define the kind of data transmission system that has to be set up to allow standardized message exchanges between radar stations.

4. Specifications for telephone systems for ATS:

These are specifications for telecommunications links in the form of telephone lines between control centres and for data relating to Air Traffic Services.

VI CONCLUSIONS

The scope of this Directive is of interest to us for three reasons:

- (i) it provides for greater coordination between the Member States of their efforts to harmonize and integrate their ATC systems and, by way of a policy of harmonization and further standardization, should help increase the capacity of these systems;
- (ii) it is intended to ensure greater transparency of procurement contracts for air traffic control equipment; and
- (iii) it is also intended to help establish a high level of safety in Community airspace.

OBSERVATIONS ON THE VARIOUS ARTICLES OF THE DIRECTIVE

Article 1

This Article defines the scope of the Directive;

Article 2

This Article defines the terms used in the Directive.

Article 3

This Article sets out the objectives to be achieved by the introduction of Community-wide technical rules on ATC equipment deployed in the Member States. These objectives are the same as those adopted by the ECAC Ministers in 1990.

Article 4

This Article states that EUROCONTROL technical specifications are to be regarded as Community standards if identified as such by the Commission.

Article 5

This Article allows the Commission to confer mandates on the European standards bodies to define standards in areas not covered by EUROCONTROL.

Article 6

This Article sets out the conditions with which Member States must comply when drawing up their purchasing specifications for ATC equipment. The conditions also help ensure the free movement of goods.

Article 7

This Article provides for an Advisory Committee to be set up.

Article 8

This Article makes provision for a mechanism whereby bodies affected by the Directive can be consulted.

Article 9

This Article authorises the Commission to issue proposals should EUROCONTROL encounter difficulties over the adoption of its technical specifications.

Article 10

This Article provides for verification of the implementation of the stated objectives of the Directive.

Draft Council Directive

on the definition and use of compatible technical and operating specifications for the procurement of air traffic management equipment and systems

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 84(2) thereof,

Having regard to the proposal from the Commission

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Economic and Social Committee,

Whereas air transport in Europe is presently under considerable strain due to air traffic congestion;

Whereas the overloading of the air traffic control system is one of the primary causes of this congestion;

Whereas, so far, management systems have been developed and brought on stream in accordance with national or local specifications;

Whereas defining and introducing Community standards is the only possible effective approach to air traffic management since the present situation, based on national or local systems, has resulted in the technical and operational incompatibilities which now hinder the transfer of controlled flights between traffic control bodies in the different Member States;

Whereas operational integration must be achieved under the common air transport policy in order to remedy traffic congestion and improve the flow of traffic in the short term;

Whereas the process of harmonization and integration would be facilitated if all the Member States individually and the Community as such acceded to the International Convention relating to Cooperation for the Safety of Air Navigation;

Whereas the technical specifications adopted by EUROCONTROL comply with the recommended standards and practices of the International Civil Aviation Organization;

Whereas the Commission, assisted by a Committee of representatives of the Member States, should be authorized, in accordance with the procedure laid down in Council Decision No 87/373/EEC,¹ to make the EUROCONTROL technical specifications mandatory at Community level;

Whereas European standardization is a key factor in establishing a consistent level of safety in air traffic management and whereas EUROCONTROL and the European standards bodies should cooperate with each other;

Whereas it should be specified that, in accordance with the provisions of Directive 83/189/EEC, the Commission may give the European standards bodies mandates to draw up European standards to provide support for air traffic management systems;

¹ OJ No L 197, 18.7.1987, p.33.

Whereas in any case any item of equipment legally marketed in one Member State must be able to move freely in the territory of the other Member States;

Whereas the provisions of the International Convention relating to Cooperation for the Safety of Air navigation designate EUROCONTROL as the instrument to take the necessary measures to solve the problems currently existing in Europe;

Whereas safety is a key factor in air transport in the Community, and whereas the provisions of this Directive should take into account the existence of the Convention on International Civil Aviation, signed in Chicago on 7 December 1944, which provides for the implementation of whatever measures are required to ensure the safety of air navigation;

Whereas Council Directives 77/62/EEC and 90/531/EEC on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors apply to the air traffic management sector and the awarding entities must be specified,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive covers the definition and use of compatible technical specifications for procuring air traffic management equipment and systems, particularly:

- communications systems
- surveillance systems
- systems providing automated assistance to air control
- navigation systems.

Article 2

For the purposes of this Directive the following definitions shall apply:

- (a) Technical specification: the technical requirements contained in particular in the tender documents defining the characteristics of a set of works, material, product or supply, and enabling a piece of work, a material, a product or a supply to be objectively described in a manner such that it fulfils the use for which it is intended by the contracting entity. These technical prescriptions may include quality, performance, safety or dimensions, as well as requirements applicable to the material, product or supply as regards quality assurance, terminology, symbols, testing and test methods, packaging, marking or labelling.
- (b) Standard: a technical specification approved by a recognized standardizing body for repeated and continuous application, compliance with which is in principle not compulsory.

- (c) EUROCONTROL technical specification: any technical specification relating to physical characteristics, configuration, equipment, performance, personnel or procedures in respect of which it is accepted that uniform application is essential to the operation of an integrated air traffic system in the Member States and adopted as a EUROCONTROL Standard in accordance with the provisions of the EUROCONTROL Convention.

Article 3

The Member States shall take whatever steps are necessary to modify their existing air traffic management equipment so that it guarantees:

- automatic data transmission between air control centres by 1998;
- complete radar coverage by 1996 using interoperable radar equipment which provides full, organised surveillance;
- computer assisted execution of air traffic management tasks as from 1996;
- harmonization of the capability of different types of radar equipment to allow uniform en route separation of aircraft by 1996, with a 5 or 10 NM standard being applied, as appropriate;
- optimization of the network of ATS routes and airspace structure, backed up by the widespread use of area navigation as from 1994.

The Member States shall communicate to the Commission, within six months of each deadline, the measures they have introduced to achieve the objectives set out in the previous paragraph.

Article 4

The Commission, assisted by the Committee referred to in Article 7, shall be authorized to act in accordance with the procedure set out in that Article and identify which EUROCONTROL technical specifications, in particular those relating to areas listed in Annex 1, shall be made mandatory. The Commission shall publish the references for these technical specifications in the Official Journal of the European Communities.

Article 5

To facilitate the implementation of measures adopted under the provisions of Article 3 and 4, the Commission, acting in accordance with the provisions of Directive 83/189/EEC, may award standardization mandates to the European standards bodies.

Article 6

Without prejudice to the provisions of Directives 77/62/EEC and 90/531/EEC, the Member States shall take whatever steps are necessary to ensure that, in the general documents or specifications relating to each public contract, the awarding entities defined in Annex 2 to this Directive refer to the European specifications defined in that Directive when purchasing air navigation equipment.

To ensure that this Annex is as complete as possible, the Member States shall notify the Commission of any changes to their lists. The Commission shall amend Annex 2 in accordance with the procedure set out in Article 7.

Article 7

1. The Commission shall be assisted by an Advisory Committee composed of representatives of the Member States and chaired by the representative of the Commission.
2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within the time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.
3. The opinion shall be recorded in the minutes. Each Member State shall have the right to ask to have its position recorded in the minutes.
4. The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

Article 8

In exercising its powers the Commission shall regularly consult the European organizations of the parties concerned, such as the European representatives of air navigation bodies, air space users and professional bodies, and shall inform the Committee of the outcome of the consultations.

Article 9

Where EUROCONTROL technical specifications are not adopted by EUROCONTROL by the deadline provided for in Article 3, or where other measures are considered necessary, the Commission shall send a detailed report to the Committee and shall propose appropriate measures.

Article 10

The Commission shall submit regular reports to the Council and Parliament on the operation of the arrangements set out in this Directive.

Article 11

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1994. They shall forthwith inform the Commission thereof.
2. When the Member States adopt these provisions their texts shall refer to this Directive or shall be accompanied by such a reference when officially published. The Member States shall decide what method to use to make this reference.

Article 12

This Directive is addressed to the Member States.

Done at

ANNEX 1

Technical specifications referred to in Article 4

Areas covered

COMMUNICATIONS SYSTEMS

flight plan related data exchange (message format)

radar data exchange (ASTERIX message format)

telephone systems for ATS

On-Line Data Interchange (OLDI)

automated SSR code assignment systems

NAVIGATION SYSTEMS

RNAV

radar separation

Short-Term Conflict Alert (STCA)

airspace delegation

SURVEILLANCE SYSTEMS

surveillance specifications

shared use of radar facilities

ANNEX 2

The text of this Annex will be communicated at a later date and will be based on information sent in by the Member States before this Directive is forwarded to the Council.

STATEMENT OF EFFECT

EFFECT OF PROPOSAL ON UNDERTAKINGS, PARTICULARLY SMALL AND MEDIUM-SIZED BUSINESSES (SMEs)

Title of proposal: Proposal for a Council Directive on the definition and use of compatible technical and operating specifications for the procurement of air traffic management equipment and systems

Reference number of document:

Proposal

1. Keeping in mind the principle of subsidiarity, why is Community legislation required and what are the main aims?

ATC/ATM equipment must be standardized if a uniform network is to be established.

Effect on businesses

2. Who will be affected?

- what types of businesses:

Systems and equipment makers (radar/telecommunications)

- what size of business (i.e. small or medium):

Medium-sized

- is this type of business concentrated in any particular geographical area of the Community:

No

3. What steps will the businesses have to take to comply with the proposal?

Adopt the standards covered by the Directive.

4. What are the likely economic effects of the proposal?

on employment

None

on investment and the creation of new businesses:

None

on the competitiveness of businesses:

It will improve the position of European businesses in relation to their American and Japanese competitors.

5. Does this proposal include any measures specifically intended to take into account the position of small and medium-sized businesses (lower or different requirements, etc)?

No

Consultation

6. List of bodies consulted on the proposal and their view

ATCMA	in favour
EUROCONTROL	in favour
ATA	in favour

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DOCUMENTS

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