2. Compliance with the essential requirements of Annex II shall be required for all systems and constituents in operation by 1 January 2009.

Article 16

Committee Procedures

1. The Commission shall be assisted by the 'Single Sky Committee' as provided for in Article 7 of Regulation (EC) No …/… [laying down the framework for the creation of the Single European Sky].

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 and Article 8 thereof.

The period provided for in Article 5(6) of Decision 1999/468/EC shall be one month.

3. Where reference is made to this paragraph, the advisory procedure laid down in Article 3 of Decision 1999/468/EC shall apply, in compliance with Article 7 and Article 8 thereof.

4. In addition to the Committee, an 'Industry Consultation Body', to which associations of airspace users, flight-safety organisations and the manufacturing industry shall belong, shall be established to advise the Commission on technical aspects of the implementation of the Single European Sky.

Article 17

Repeal

Directives 93/65/EEC and 97/15/EC are hereby repealed.

References to the repealed Directives shall be construed as references to this Regulation.

Article 18

Entry into force

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at …, on …

For the European Parliament
The President

For the Council
The President

ANNEX I

LIST OF AIR NAVIGATION SYSTEMS

For the purpose of this Regulation the air traffic management network is subdivided in seven systems.

When so required, the system is meant to include not only the ground part but also the airborne equipment and procedures related to air traffic management operations and the airport equipment and procedures related to air traffic management operations.

1. Equipment and procedures used for flow management.

2. Equipment and procedures used for airspace management.

3. Equipment and procedures for air traffic control, in particular for flight data processing systems, surveillance data processing systems and human-machine interface.

4. Communications equipment and procedures for ground-to-ground, air-to-ground and air-to-air communications.

5. Navigation equipment and procedures.

6. Surveillance equipment and procedures.

7. Equipment and procedures for aeronautical information and meteorological information.

ANNEX II

ESSENTIAL REQUIREMENTS

PART A: GENERAL REQUIREMENTS

1. Seamless operation

Air traffic management systems and their constituents shall be designed, built, maintained and operated in such a way so as to ensure the seamless operation of the air traffic management network throughout the Community at all times and for all phases of flight. Seamless operation can be expressed, in particular, in terms of information exchange, common understanding of information, comparable processing performances and the associated procedures enabling common operational performances agreed for the whole or parts of the air traffic management network.

2. Support to new concepts of operation

The air traffic management network, its systems and their constituents shall support, on a coordinated basis, new agreed concepts of operation that improve the quality of air navigation services, in particular in terms of safety and capacity, taking due account of technology development and of their safe introduction.

3. Safety

Evolution of systems and operations of the air traffic management network shall achieve agreed high levels of safety. Agreed safety management methodologies shall be established to achieve this. A harmonised set of safety requirements for the systems and their constituents shall be defined with a view to achieving the agreed safety levels.

4. Integrated civil/military operation

The air traffic management network, its systems and their constituents shall support integrated civil/military operations, to the extent necessary for the efficient use of airspace

5. Environmental constraints

The evolution of systems and operations of the air traffic management network shall minimise environmental impact in ***compliance with safety requirements and in*** accordance with applicable Community legislation.

6. System construction principles

Systems shall be designed, built and maintained on the grounds of sound engineering principles, in particular those relating to high availability, redundancy and fault tolerance of critical constituents.