

**NOTICE
TO
AIR
NAVIGATION
SERVICE
PROVIDERS**

IRELAND

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Recent Legislative Change (3) SES II Regulations

1. Purpose

This Notice to Air Navigation Service Providers (NASP) is to advise ANSP's of recent developments to Single European Sky legislation (the SES II package).

2. Introduction

On 25th June 2008 the European Commission published a communication entitled "Single European Sky II: towards more sustainable and better performing aviation".

Following on from this paper the European Commission has developed a second package of SES legislation (SES II) focused on the following areas:

- SES legislation sharpened to deal with performance and environmental challenges [Regulation (EC) No 1070/2009].
- Adoption of SESAR (Single European Sky ATM Research) to provide future technology. [Decision 2009/320/EC: Council Decision of 30 March 2009 endorsing the European Air Traffic Management Master Plan of the Single European Sky ATM Research (SESAR) project].
- Extension of the competence of EASA (European Aviation Safety Agency) to aerodromes, air traffic management and air navigation services [Regulation (EC) No 1108/2009].
- Airport capacity, efficiency and safety.

3. Commission Regulation (EC) No 1070/2009

Regulation (EC) No 1070/2009 amends the following SES regulations to deal with performance and environmental challenges:

- The Framework Regulation (EC) No 549/2004
- The Service Provision Regulation (EC) No 550/2004
- The Airspace Regulation (EC) No 551/2004
- The Interoperability Regulation (EC) No 552/2004.

Key measures include the establishment of a performance scheme for air navigation services and network functions. The scheme will include Community wide performance targets subject to periodic review by an independent “performance review body” as designated by the Commission. In addition, implementing rules have been developed to ensure the optimal management of the European ATM Network (refer to Notice S.19).

4. SESAR (Single European Sky European Research)

The SESAR project is the European air traffic control infrastructure modernisation programme. A three phase project has been established which aims to develop a new generation air traffic management system.

- **Definition Phase (2004-2008)**

Delivered an ATM master plan defining the content, the development and deployment plans of the next generation of ATM systems.

- **Development phase (2008-2013)**

The development phase (2007-2013) will produce the required new generation of technological systems and components as defined in the definition phase.

- **Deployment phase (2014-2020)**

The deployment phase (2013-2020) will seek to build the new infrastructure at a wide scale both in Europe and in partner countries.

The SESAR Joint Undertaking (SJU) was created under European Community law on 27 February 2007 [Regulation (EC) No 219/2007] with Eurocontrol and the European Community as founding members, in order to manage the SESAR Development Phase.

5. Commission Regulation (EC) No 1108/2009

Regulation (EC) No 1108/2009 amends Regulation (EC) No 216/2008 (on common rules in the field of civil aviation and establishing a European Aviation Safety Agency) primarily to include the safety regulation of Aerodromes, Air Traffic Management and Air Navigation Services (ATM/ANS). It adds to and amends, but does not replace, the existing Regulation [(EC) No 216/2008].

Three rule-making groups have commenced work on drafting ATM/ANS rules, Acceptable Means of Compliance and Guidance Material, for consultation in due course. These groups will concentrate on the following:

- Air Navigation Service Provision
- Air Traffic Controller Licensing
- Competent Authorities in ATM/ANS.

On 15/9/09 EASA and the EC set out their common strategy for the Agency's new responsibility (press release available from the EASA website: <http://www.easa.europa.eu>).

6. Action Plan for Airport Capacity, Efficiency and Safety

The European Parliament and the Council have endorsed an 'action plan for airport capacity, efficiency and safety in Europe' {COM (2006) 819 dated 24.1.2007}. This plan includes several measures to increase the output and optimise the planning of airport infrastructures, while at the same time raising safety and environmental standards.

7. Entry into Force

Each individual EC Regulation referred to in this Notice includes an article defining entry into force regulatory requirements.

8. Further Information

Requests for further information on the contents of this notice should be addressed to: ansdinfo@iaa.ie

Further details on SES II and SESAR are provided on the European Commission transport website: http://ec.europa.eu/transport/modes/air/index_en.htm

An overview of the rationale and objectives of the SES II legislative package is available from the Skybrary website: <http://www.skybrary.aero>.

9. Issue Date: 28th November 2014

**Chief Executive
Irish Aviation Authority.**

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