


Irish Aviation Authority The Times Building 11-12 D'Olier Street Dublin 2, Ireland www.iaa.ie Safety Regulation Division	Údarás Eitlíochta na hÉireann Foirgneamh na hAmanna 11-12 Sráid D'Olier Baile Átha Cliath 2, Éire Rannán na Rialachán Sábháilteachta	AERONAUTICAL NOTICE No. S.36 ISSUE 2 DATE 21.01.22	
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EU Regulation 2018/1139

Common rules in the field of civil aviation & the repeal of Regulation (EC) No 552/2004

1. Introduction and Scope

EU Regulation 2018/1139 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency as amended, provides among other things, for the repeal of Regulation (EC) No 552/2004 (referred to as 'the Interoperability Regulation').

This notice provides information regarding the repeal of Regulation 552/2004 and the resulting impact on the EC/EU regulations that are based on Regulation 552/2004.

2. Repeal of Regulation (EC) No 552/2004


EU regulation 2018/1139; Article 139(2) provides for the repeal of Regulation (EC) 552/2004 with effect from the 11 Sept 2018. However, Articles 4, 5, 6, 6a, 7 and Annexes III and IV will continue to apply until the date of application of the applicable parts of the new delegated and implementing acts referred to in Article 47 of this Regulation, but in any case, no later than 12th of Sept 2023.

In accordance with EU regulation 2018/1139; Article 139(4), any reference made to the interoperability Regulation is a reference to equivalent provision of the EASA Basic Regulation; in particular, this also applies to

- References to the Essential Requirements previously included in Annex II to Regulation (EC) No 552/2004, which should be interpreted as a reference to Annex VIII, and where applicable Annex VII, to the Basic Regulation;
- Systems and constituents that are expected to meet such Essential Requirements, which were previously contained in Annex I to Regulation (EC) No 552/2004 and are now described in Point 3.1 of Annex VIII to the Basic Regulation.

Additionally, the following Implementing Rules (IRs) as amended, which are based on Regulation 552/2004, will remain applicable until the date of application of the new delegated and implementing acts:

- EC Regulation No 1033/2006 - Procedures for flight plans in the pre-flight phase;
- EC Regulation No 1032/2006 - Automatic exchange of flight data;
- EC Regulation No 633/2007 - Flight message transfer protocol;
- EC Regulation No 262/2009 - Mode S interrogator codes;
- EC Regulation No 29/2009 - Data link services;

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- EC Regulation No 73/2010 - Aeronautical data quality;
- EU Regulation No 1206/2011 - Aircraft identification for surveillance;
- EU Regulation No 1207/2011 - Performance and interoperability of surveillance;
- EU Regulation No 1079/2012 - 8.33 kHz voice channels spacing.

3. Summary

ANSPs must continue to develop and submit EC Declarations of Verification and Technical Files for new ATM/ANS systems in advance of putting them into service and update existing declarations for upgraded ATM/ANS systems in advance of deployment, in accordance with Article 6 and Annex IV of Regulation 552/2004.

The alternative verification of compliance option, as set out in Article 6a of Regulation 552/2004 continues to apply, as per the timeline in Section 2 of this notice.

Note that further guidance on the issue of EC declarations of conformity, suitability for use and verification of systems is contained in IAA Aeronautical Services Advisory Memorandum (ASAM) No: 40.

4. Cancellation of Aeronautical Notice S.07

Aeronautical notice S.07 is hereby cancelled.

5. Further Information

Requests for further information should be addressed to: ansdinfo@iaa.ie

This Aeronautical Notice replaces Aeronautical Notice S.36 at issue 1 which should be discarded.

**Aviation Regulator/CEO Designate
Irish Aviation Authority**