



## **1. TITLE**

Mandate to Eurocontrol to assist the European Commission in the development of an interoperability implementing rule on Aeronautical Data Integrity

## **2. PURPOSE OF THIS MANDATE**

Eurocontrol is mandated to develop a draft interoperability implementing rule that supplements and strengthens the requirements of ICAO Annex 15 in order to achieve aeronautical information of sufficient quality.

## **3. JUSTIFICATION**

Pursuant to article 8 of the Single European Sky Framework Regulation<sup>1</sup>, and the Memorandum of Co-operation (MoC) between Eurocontrol and the European Commission, the Commission hereby issues a mandate to Eurocontrol for the development of implementing rules.

Article 3.1 of the interoperability Regulation<sup>2</sup> lays down that implementing rules shall be drawn up whenever necessary to achieve the interoperability of the European Air Traffic Management network (EATMN).

In order to have the integrity values required to meet specific applications such as Area Navigation (RNAV), there is a need to define the performance requirements for how data should be originated, transferred, handled and processed.

## **4. BACKGROUND**

In order to achieve the interoperability of the EATMN, its systems and their constituents and associated procedures shall meet the essential requirements set out in Annex II of the interoperability Regulation concerning:

- Seamless operation,
- Support of new concepts of operation,
- Safety,

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<sup>1</sup> Regulation (EC) N° 549/2004, OJ L 96 of 31.3.2004, p. 1

<sup>2</sup> Regulation (EC) N° 552/2004, OJ L 96 of 31.3.2004, p. 26

- Civil-military coordination,
- Environmental constraints,
- Principles governing the logical architecture of systems,
- Principles governing the construction of systems.

Concerning systems and procedures for aeronautical services, the following specific requirements are laid down in Annex II.B.7 of the interoperability Regulation:

- Accurate, timely and consistent aeronautical information shall be provided progressively in an electronic form, based on a commonly agreed and standardised data set.
- Accurate and consistent aeronautical information, in particular concerning airborne and ground-based constituents or systems, shall be available in a timely manner.
- Increasingly accurate, complete and up-to-date aeronautical information shall be made available and used in a timely manner in order to support continuous improvement of the efficiency of airspace and airport use.

These essential and specific requirements need to be completed by an implementing rule on aeronautical data integrity that supplements and strengthens the requirements of ICAO Annex 15 in order to achieve aeronautical information of sufficient quality (accuracy, resolution, timeliness and integrity).

## **5. SUBJECT OF THE MANDATE**

The approach taken by Eurocontrol in this area shall take into account of the provisions of the Single European Sky regulations particularly of article 3 of the interoperability Regulation.

### **5.1 General Issues**

Eurocontrol shall take into account the following aspects:

- (1) Systems, constituents, and associated procedures of the EATMN shall comply with the relevant implementing rule (IR) throughout their lifecycle;
- (2) IR shall determine any specific requirement that complement or refine the essential requirements (ER), in particular in terms of safety, seamless operation and performance, and in accordance with the specific ER for a specific system of Annex II, Part B of the interoperability Regulation;
- (3) IR concerning new, agreed and validated concepts of operation or technologies shall complement or refine the ER, in particular regarding their coordinated introduction;
- (4) IR concerning a system shall determine the constituents;

- (5) IR shall describe the specific conformity assessment procedures involving, where appropriate, notified bodies based in the modules defined in Decision 93/465/EEC to be used to assess either the conformity or suitability for use of constituents as well as the verification of systems;
- (6) IR shall identify, where appropriate, the tasks pertaining to the assessment of conformity or suitability for use of constituents to be carried out by the notified body;
- (7) IR shall identify, where appropriate, the tasks pertaining to the verification of systems to be carried by the notified body;
- (8) IR should rely on rules and standards developed by international organisations such as Eurocontrol and ICAO;
- (9) IR shall specify the conditions of implementation including, where appropriate, the date by which all relevant stakeholders are required to comply with them;

## **5.2 Specific Issues**

Eurocontrol is mandated to develop a draft implementing rule that identifies:

- The objective and scope of the Rule;
- Technical provisions to ensure compliance to the existing provisions of Annex 15 for ensuring aeronautical information of sufficient quality (accuracy, resolution, timeliness and integrity);
- The performance requirements for the originated data, their transfer, handling and process;
- The levels of integrity, security and validation;
- The implementation conditions.

During the drafting of the implementing rule, the means for achieving the requested levels of integrity, security and validation shall be identified.

In general, the related community specifications will also be identified.

## **5.3 Impact assessment**

Eurocontrol shall develop as appropriate impact assessments of the proposed issues on e.g. Member States, ANSPs, airspace users and institutional bodies, in particular in the areas of safety, civil/military organisation, efficiency and economic aspects. An assessment of the costs and benefits of the proposed solutions for all stake holders concerned shall be attached to each draft implementing rule for interoperability. This assessment shall take into account the specific issues of point 5.2.

## **5.4 Consultation and Rulemaking Process**

Eurocontrol shall also establish a consultation process and take into account the opinions of stakeholders, including:

- Relevant national authorities (Civil and Military),
- Civil and Military air navigation services providers,
- Relevant airspace users' organisations,
- Relevant international organisations (including NATO bodies),
- Military airspace users,
- Relevant social representatives;
- Industry representatives (including military industry).

The 1st written consultation will aim at collecting views and opinions of stakeholders on the basis of the proposed regulatory approach. The comments of stakeholders collected during this stage will be analysed to define the most suitable approach for the next steps.

The 2<sup>nd</sup> consultation process will be based on the 1<sup>st</sup> draft implementing rule and shall at minimum include the following:

- Invite comments;
- Evaluate and report on the comments made;
- Organise a public workshop to discuss the results.

During the consultation process Eurocontrol shall be available for reasonable requests by individual stakeholders for meetings and discussions.

### **5.5 Material to be used**

Eurocontrol shall take into account and build further upon any relevant material available during the scheduled timetable (existing or under development), in particular:

- The Commission's study on ATM/CNS Interoperability Road Map (September 2003);
- The ICAO Chicago Convention and its relevant Annexes and standards;
- ESARRS;
- EASA and JAA documents;
- EUROCAE standards;
- EUROCONTROL specifications.

## 6. REPORTS AND DELIVERABLES

Eurocontrol shall deliver an initial plan, a regulatory approach and a final report as follows.

The initial plan will describe in detail the work programme, the proposed methodology and processes, the timing and planning of the project, including consultations and visits planned. Eurocontrol may propose additional or refined points (to be taken onboard under 5.1-5.4.) to the Commission for consideration in this mandate.

The regulatory approach is a document outlining the headlines of the regulatory provisions and the key points of the impact assessment, in particular cost-benefit analysis. In this document different possible scenarios will be considered.

The final report will contain the results achieved according to point 5. Furthermore the report will briefly describe current regulatory situation in the area covered by this mandate and the desired regulatory situation after full exploitation of the scope of this mandate. The main part of the final report will consist of the final drafts of the implementing rules (and their respective justifications) to achieve the desired regulatory situation. The final report will also describe Eurocontrol's actions to support stakeholders' efforts to implement the implementing rules.

## 7. TIMETABLE

The work shall start from the acceptance of the Mandate by Eurocontrol (*estimated mid May*). Eurocontrol is asked to provide deliverables according to the nominal schedule below. The delivery schedule of the draft final reports and the final reports may be reviewed in agreement with the Commission on the basis of the results of the regulatory approach.

<b>Delivery date</b>	<b>Deliverable</b>	<b>Subject</b>
July 2005	Initial plan	Presentation and agreement between Eurocontrol and the Commission of the initial plan.
November 2005	Regulatory approach	Definition of the most suitable approach after the 1 <sup>st</sup> written consultation of stakeholders
April 2006	Draft final report including proposals for implementing rules	To be submitted to and discussed with the Commission.
September 2006	Final report including draft implementing rules	Update of the draft final report and the implementing rules, taking full account of the Commission's comments. Submission of draft implementing rules for further use to the Commission.

## **8. POINT OF CONTACT**

The point of contact within the European Commission for this mandate is:

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The initial plan (as described under point 6.) will be agreed with the point of contact. The point of contact will be kept updated on the progress of the work under this mandate.