



Network Manager
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the European Commission



ATTACHMENT D

Network Cooperative Decision Making Responsibilities Document for the Application of Air Traffic Flow Management (ATFM)

Attachment D

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DOCUMENT CHANGE RECORD

The following table records the complete history of the successive editions of the present document.

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EXECUTIVE SUMMARY

This responsibilities document provides details of responsibilities and requirements for the implementation and application of air traffic flow and capacity management (ATFCM).

The document identifies the key responsibilities contained in, or resulting from, the EUROPEAN COMMISSION REGULATION (EC) No 255/2010 of 25 March 2010 laying down common rules for air traffic flow management (ATFM Regulation), and COMMISSION IMPLEMENTING REGULATION (EU) 2019/123 of 24 January 2019 laying down detailed rules for the implementation of air traffic management (ATM) network functions (Network functions implementing regulation; NF IR), in order to provide guidance to stakeholders as to how they might comply with the regulations.

It is further intended to provide traceability between the regulations and ATFCM operating procedures and processes.

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1. INTRODUCTION

1.1. FOREWORD

1.1.1. Responsible Body

This responsibilities document has been developed in effective coordination at managerial and technical level between EUROCONTROL Network Manager NMD/ACD and EUROCONTROL Network Manager NMD/NOM.

1.1.2. Approval of the responsibilities document

This responsibilities document is adopted in accordance with the Network Cooperative Decision-Making Processes approved by the Network Management Board (NMB). The provisions of this responsibilities document become effective after the approval by the NMB.

1.1.3. Technical Corrigenda and Amendments

This responsibilities document is kept under review to ascertain required amendments or technical corrigenda.

Amendments or additions to this responsibilities document SHALL be proposed in writing to NMD/ACD Secretariat, EUROCONTROL Agency.

1.2. SUPPORT AND TRAINING

Network Manager participating States are supported by EUROCONTROL Network Management Directorate with respect to any training requirements related to ATFCM.

1.3. PURPOSE

This responsibilities document provides details and traceability of responsibilities and requirements for the implementation and application of Air Traffic Flow and Capacity Management and closely follows the requirements of the ATFM Regulation and NF IR. This document complements the applicable ATFCM manuals.

For ease of cross reference, the ATFM Implementing Rule article associated with each responsibility statement is highlighted in the document.

1.4. SCOPE

The scope of this document is to provide responsibility statements applicable to entities responsible for the provision of, or participation in, the Network Management Air Traffic Flow Management function, in accordance with NF IR, and, where appropriate, the ATFM Implementing Rule.

The ATFCM responsibilities document draws on existing material primarily contained in the amended edition of the applicable ATFCM manuals.

1.5. APPLICABILITY

The following ATFCM responsibilities SHALL be applicable to those civil and military operational stakeholders that operate in the Network Manager area of responsibility and are bound by appropriate SES legislation.

1.6. CONVENTIONS

This section describes the minimum conventions used in the responsibilities document, which are:

- a) **'SHALL'**– indicates a statement of responsibility, the compliance with which is mandatory according to the ATFM Regulation.
- b) **'Should'** – indicates a recommendation or best practice, which may or may not be satisfied by all operational stakeholders claiming conformity to the responsibilities document.
- c) **'May'**– indicates an optional element.

1.7. DEFINITIONS

The following definitions do not include those contained in other SES Regulations.

	Term	Explanation
1	Monitoring value	The monitoring value (MV) is the agreed number of flights accepted to enter into a reference location per rolling hour beyond which coordinated actions may be considered between the concerned parties in order to better balance the traffic load.
2	Critical event	“an unusual situation or crisis involving a major loss of EATMN capacity, or a major imbalance between EATMN capacity and demand, or a major failure in the information flow in one or several parts of the EATMN” (Commission Regulation No 255/2010 laying down common rules on air traffic flow management, Article 2 Definitions, page 2)
3	Traffic Volume	Used within ATFCM to identify the number of flights over an airspace, point, aerodrome or set of aerodromes in order that they can be monitored or regulated.
4	CTOT	A time calculated and issued by the appropriate central management unit, as a result of tactical slot allocation, at which a flight is expected to become airborne.
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1.8. ABBREVIATIONS

Abbreviations used in the responsibilities document:

AIP	Aeronautical Information Publication
AMC	Airspace Management Cell
ANSP	Air Navigation Services Provider
AO	Aircraft Operator
ASM	Airspace Management
ATC	Air Traffic Control
ATFM	Air Traffic Flow Management
ATFCM	Air Traffic Flow and Capacity Management
ATM	Air Traffic Management (ATS+ASM+ATFCM)*
ATS	Air Traffic Services
CDM	Collaborative Decision Making
EATMN	European Air Traffic Management Network
ECAC	European Civil Aviation Conference
ENV	ATFCM Environment Database
FIR	Flight Information Region
FMP	Flow Management Position
FPL	Flight Plan
ICAO	International Civil Aviation Organisation
IFPS	Integrated Initial Flight Plan Processing System
IFR	Instrument Flight Rules
IR	(European Commission) Implementing Regulation
KPI	Key Performance Indicator
LoA	Letter of Agreement
MoC	Means of Compliance
RAD	Route Availability Document
RPL	Repetitive Flight Plan
TOS	Tactical Orientation Scheme
VFR	Visual Flight Rules

1.9. REFERENCE MATERIAL

In the elaboration of the responsibilities document, any relevant reference material was used, and in particular:

- COMMISSION REGULATION (EC) No 255/2010 of 25 March 2010 laying down common rules for air traffic flow management;
- COMMISSION IMPLEMENTING REGULATION (EU) 2019/123 of 24 January 2019 laying down detailed rules for the implementation of air traffic management (ATM) network functions;
- ICAO EUR ANP FASID - Doc 7754;
- ICAO Annex 11;
- ICAO PANS-ATM - Doc. 4444;
- ICAO Doc 6426
- ICAO Regional Supplementary Procedures - Doc 7030
- ICAO Air Traffic Services Planning Manual – Doc 9426
- ATFCM Operations Manual
- ATFCM Users Manual
- IFPS Users Manual
- European Route Network Improvement Plan – Part 3 - ASM Handbook

1.10. DOCUMENT STRUCTURE

The Table of Contents may be used as a structure reference for the responsibilities document.

1.10.1. Description

Principles

This section consists of high-level responsibility statements of air traffic flow and capacity management principles and criteria, and in respect of the establishment and responsibilities of the Network Manager.

Requirements

This section deals with general ATFCM requirements and responsibilities.

Flight Plans

This section addresses ATFCM specific flight planning requirements additional to the FPL IR.

Critical Events

This section addresses the requirements for establishing and publishing contingency procedures for the handling of critical events.

Safety Requirements

This section addresses compliance with relevant EC IR.

Compliance

This section addresses the monitoring and reporting of non-compliance to ATFCM measures.

Archive

This section addresses the requirements for an archive of ATFCM data.

ATFCM Personnel

This section addresses the requirement for appropriate and adequate training of staff involved in ATFCM, together with the necessary manuals and other documentation

Note: The framed text in this document is extracted from the COMMISSION REGULATION (EU) No 255/2010 of 25 March 2010 laying down common rules on air traffic flow management and COMMISSION IMPLEMENTING REGULATION (EU) 2019/123 of 24 January 2019 laying down detailed rules for the implementation of air traffic management (ATM) network functions. Its purpose is to ease transparency and traceability of the document.

Every requirement in this responsibilities document is preceded by a cryptic identifier to allow easy reference material.

EXAMPLE:

Reference to: ATFM Regulation	Article 3 of Regulation (EC) 255/2010 (ATFM Regulation) 2. ATFM shall be governed by the following principles: (b) local ATFM units and the central unit for ATFM shall be considered as part of the ATFM function.
Reference to: Network Functions Implementing Regulation	Annex II, Part B, Article 5.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation) Member States shall ensure that: (a) the ATFM function is available to parties concerned 24 hours a day and that the local ATFM unit, on an exclusive basis, covers a designated area in respect of the airspace under their responsibility within the geographical area where ATFM measures are applied;
Requirement	PRPL-03- Member States SHALL ensure that a local ATFCM unit is established and equipped to a common minimum level and established in each designated area within the single central unit for flow management area of responsibility.

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2. PRINCIPLES

2.1. ATFCM PRINCIPLES – [-PRPL-]

2.1.1.

Article 5 of Regulation (EC) 255/2010 (ATFM Regulation)

Member States shall ensure that the central unit for ATFM:

(a) optimises the overall performance effects on the EATMN through planning, coordination and implementation of ATFM measures;

Annex II, Part B, Article 6.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(a) optimise the overall performance of the EATMN through planning, coordination and implementation of agreed ATFM measures, including for transition plans for the entry into service of major airspace or ATM systems improvements and for adverse weather, through cooperative decision-making;

PRPL-01- The Network Manager SHALL ensure that strategic planning is carried out in conjunction with the parties referred to in Article 1.3 from the ATFM IR.

PRPL-01-01- Operational Stakeholders SHALL support the Network Manager with data enabling to optimise the overall performance of the EATMN through planning, coordination and implementation of agreed ATFM measures, including for transition plans for the entry into service of major airspace or ATM systems improvements and for adverse weather, through cooperative decision-making;

PRPL-01-02 Strategic planning SHALL consist of examining the demand for the forthcoming season, assessing where and when demand is likely to exceed the available ATC capacity or monitoring values and taking steps to resolve the imbalance by:

- a) arranging with the ANSPs to provide adequate capacity at the required place and time;
- b) re-routing certain traffic flows (traffic scenarios);
- c) publication of policies, procedures and description of traffic orientation schemes via the RAD
- d) identifying the need for tactical ATFCM measures.

2.1.2.

Article 4 of Regulation (EC) 255/2010 (ATFM Regulation)

1. Member States shall ensure that the ATFM function is available to parties referred to in Article 1(3) on a 24-hour basis.

Annex II, Part B, Article 5.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Member States shall ensure that:

(a) the ATFM function is available to parties concerned 24 hours a day and that the local ATFM unit, on an exclusive basis, covers a designated area in respect of the airspace under their responsibility within the geographical area where ATFM measures are applied;

PRPL-02- Member States SHALL ensure that the Network Manager and local ATFCM units are adequately organised and resourced in order that the ATFCM service is available on a 24 hour basis.

PRPL-02-01- In the event that a local ATFCM unit is unable to provide an ATFCM function for a particular period, the single central unit for flow management SHALL be advised and alternative arrangements agreed (e.g. In an LoA).

2.1.3.

Article 3 of Regulation (EC) 255/2010 (ATFM Regulation)

2. ATFM shall be governed by the following principles:

(b) local ATFM units and the central unit for ATFM shall be considered as part of the ATFM function.

Annex II, Part B, Article 5.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Member States shall ensure that:

(a) the ATFM function is available to parties concerned 24 hours a day and that the local ATFM unit, on an exclusive basis, covers a designated area in respect of the airspace under their responsibility within the geographical area where ATFM measures are applied;

PRPL-03- Member States SHALL ensure that a local ATFCM unit is established and equipped to a common minimum level and established in each **designated area** within the single central unit for flow management area of responsibility.

Annex II, Part A, Article 5 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATFM function shall apply to the following parties, or agents acting on their behalf, involved in ATFM processes:

(a) aircraft operators;

(b) air traffic service (ATS) providers, including ATS units, ATS reporting offices and aerodrome control service units;

(c) aeronautical information services providers;

(d) entities involved in airspace management;

(e) airport operators;

(f) the central unit for ATFM, operated by the Network Manager;

(g) local ATFM units as referred to in point 6 of Part A of this Annex;

(h) slot coordinators at coordinated airports.

PRPL-03-01- Member States SHALL ensure that each designated area in the Network Manager area of responsibility SHALL designate a local ATFCM unit manager.

PRPL-03-02- The local ATFCM unit SHALL be responsible for all ATFCM activities in the designated area and within its area of responsibility.

PRPL-03-03- The local ATFCM unit SHALL act as the focal point for administrative and organisational matters in dealings with the Network Manager either directly or through any future regional FMP manager (e.g. FAB FMP).

PRPL-03-04- The local ATFCM unit SHALL be required to meet the following criteria:

a) have extensive knowledge of the overall ATC/ATFCM operation in the area of responsibility of the designated area;

- b) have an extensive understanding of the ATC/ATFCM operations in adjacent designated areas;
- c) have a comprehensive knowledge of the Network Manager organisation and its systems;
- d) have an extensive understanding of the factors influencing Aircraft Operations in so far as they may affect ATFCM.

Note: This task may be in addition to other tasks carried out by the individual depending on local arrangements.

Annex II, Part B, Article 10.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The local ATFM units shall:

(a) act as point of contact and interface between the Network Manager providing central ATFM, on the one hand, and designated areas and their associated aerodromes and ATS units (military and civil) within their area of responsibility, on the other hand, on the basis of roles and responsibilities agreed through appropriate working arrangements with the Network Manager;

PRPL-04- Local ATFCM units SHALL:

- a) act as the interface between the Network Manager and:
 - designated areas and their associated aerodromes and ATS units (military and civil) within their area of responsibility
 - aircraft operators in respect of local queries that the Network Manager is unable to resolve

Annex II, Part A, Article 5 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATFM function shall apply to the following parties, or agents acting on their behalf, involved in ATFM processes:

- (a) aircraft operators;*
- (b) air traffic service (ATS) providers, including ATS units, ATS reporting offices and aerodrome control service units;*
- (c) aeronautical information services providers;*
- (d) entities involved in airspace management;*
- (e) airport operators;*
- (f) the central unit for ATFM, operated by the Network Manager;*
- (g) local ATFM units as referred to in point 6 of Part A of this Annex;*
- (h) slot coordinators at coordinated airports.*

- b) inform local AOs of their role in providing advice and information by arranging for the relevant FMP telephone numbers to be published in the National AIP with a short description of the service provided.

Annex II, Part B, Article 10.(b) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The local ATFM units shall:

(b) establish appropriate local procedures in line with the procedures established by the Network Manager providing central ATFM, including temporary procedures;

- c) establish local ATFCM unit procedures and practices to ensure that local ATFCM unit staff are fully conversant with the latest central unit for ATFCM operational procedures and any ATFCM local instructions or Temporary Instructions applicable to their local ATFCM unit.

Annex II, Part A, Article 5 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATFM function shall apply to the following parties, or agents acting on their behalf, involved in ATFM processes:

- (a) aircraft operators;*
- (b) air traffic service (ATS) providers, including ATS units, ATS reporting offices and aerodrome control service units;*
- (c) aeronautical information services providers;*
- (d) entities involved in airspace management;*
- (e) airport operators;*
- (f) the central unit for ATFM, operated by the Network Manager;*
- (g) local ATFM units as referred to in point 6 of Part A of this Annex;*
- (h) slot coordinators at coordinated airports.*

- d) monitor the effectiveness of such procedures and, where necessary, recommend changes.

Annex II, Part B, Article 10.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The local ATFM units shall:

(a) act as point of contact and interface between the Network Manager providing central ATFM, on the one hand, and designated areas and their associated aerodromes and ATS units (military and civil) within their area of responsibility, on the other hand, on the basis of roles and responsibilities agreed through appropriate working arrangements with the Network Manager;

- e) act as the point of contact within an designated area for coordination on ATFCM matters

Annex II, Part B, Article 10.(c) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The local ATFM units shall:

(c) provide the Network Manager providing central ATFM with all the required local data for the execution of the ATFM function;

- f) ensure that the central unit for flow management has all the data and information required in each of the ATFCM phases to make the most effective use of available capacity in order to implement the most effective ATFCM plan and for checking the accuracy of that data

Annex II, Part A, Article 5 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATFM function shall apply to the following parties, or agents acting on their behalf, involved in ATFM processes:

- (a) aircraft operators;
- (b) air traffic service (ATS) providers, including ATS units, ATS reporting offices and aerodrome control service units;
- (c) aeronautical information services providers;
- (d) entities involved in airspace management;
- (e) airport operators;
- (f) the central unit for ATFM, operated by the Network Manager;
- (g) local ATFM units as referred to in point 6 of Part A of this Annex;
- (h) slot coordinators at coordinated airports.

- g) ensure the local promulgation, by the appropriate means (national NOTAM, AIP, ATC operational instruction, etc.), of procedures which affect ATC Units or aircraft operators within the local ATFCM unit's area of responsibility.
- h) include the provision of all the relevant updated information and documentation so that information and advice passed to AOs by the local ATFCM unit is relevant, up-to-date and fully conforms to current ATFCM manual operating procedures.

Annex II, Part B, Article 10.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The local ATFM units shall:

(a) act as point of contact and interface between the Network Manager providing central ATFM, on the one hand, and designated areas and their associated aerodromes and ATS units (military and civil) within their area of responsibility, on the other hand, on the basis of roles and responsibilities agreed through appropriate working arrangements with the Network Manager;

- i) act as the local ATFCM partner for the designated area, other ATS units (military and civil) within the local ATFCM area of responsibility and local AOs.

Annex II, Part A, Article 5 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATFM function shall apply to the following parties, or agents acting on their behalf, involved in ATFM processes:

- (a) aircraft operators;
- (b) air traffic service (ATS) providers, including ATS units, ATS reporting offices and aerodrome control service units;
- (c) aeronautical information services providers;
- (d) entities involved in airspace management;
- (e) airport operators;
- (f) the central unit for ATFM, operated by the Network Manager;
- (g) local ATFM units as referred to in point 6 of Part A of this Annex;
- (h) slot coordinators at coordinated airports.

PRPL-04-01- Each local ATFCM unit area of responsibility SHALL be limited to the area for which the parent designated area is responsible including the area(s) of responsibility of associated Air Traffic Services (ATS) units as defined in a Letter of Agreement (LoA).

PRPL-04-02- In addition to the local ATFCM unit(s) some ATFCM activities may be carried out by other national units such as a Headquarters (HQ) Section.

PRPL-04-02-01- Where tasks are carried out by such other units, coordination procedures SHALL be established between the units concerned and the local ATFCM unit(s) to ensure that full account is taken of the situation in the local ATFCM unit(s)'s area of responsibility before decisions are made or agreements reached.

2.1.4.

Article 8 of Regulation (EC) 255/2010 (ATFM Regulation)

Airport managing bodies shall notify to the central unit for ATFM, directly or through the local ATFM unit or ATS units or both, all events that may impact air traffic control capacity or air traffic demand. They shall inform the local ATFM unit and ATS units where the notification is done directly.

Annex II, Part B, Article 13 (b) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Airport operators shall:

(b) establish processes to assess the demand and the impact on the demand of special events that are applicable to all ATFM phases:

PRPL-05- Airport managing bodies SHALL establish processes to assess the impact on air traffic control capacity or air traffic demand of any changes or events that are planned to affect the capacity of the airport. Such processes SHALL be applied to strategic, pre-tactical and tactical phases as appropriate.

Annex II, Part B, Article 13 (a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Airport operators shall:

(a) have arrangements with the local ATS unit to:

(i) exchange and coordinate with the relevant local ATFM units and the Network Manager all information on capacity and air traffic demand and their evolution for all ATFM phases, in particular ahead of flight schedule publication;

(ii) notify the relevant local ATFM units and the Network Manager, all events that may impact air traffic control capacity or air traffic demand.

PRPL-05-01- Airport managing bodies SHALL ensure that the Network Manager, local ATS units and the local ATFCM unit are informed of all events, including all relevant information, in a timely manner.

2.1.5.

Article 4 of Regulation (EC) 255/2010 (ATFM Regulation)

3. Consistent procedures shall be established for the cooperation between the parties involved in ATFM function, ATS units and entities involved in airspace management, in order to optimise the use of the airspace.

Annex II, Part B, Article 5 (b) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Member States shall ensure that:

(b) in order to ensure efficient airspace planning allocation and efficient use, as well as direct links between airspace management and ATFM, consistent procedures are established for the cooperation between the parties involved in the ATFM function, ATS units and entities involved in airspace management;

PRPL-06- The Network Manager SHALL ensure that detailed procedures governing the provision of the ATFCM measures and services within the area of responsibility of the Network Manager are prescribed in a consolidated ATFCM Handbook.

PRPL-06-01- The local unit for ATFCM SHALL ensure that the detailed procedures consolidated in ATFCM handbook are applied locally.

2.1.6.

Article 3 of Regulation (EC) 255/2010 (ATFM Regulation)

1. The planning, coordination and execution of the ATFM measures by the parties referred to in Article 1(3) shall comply with the ICAO provisions specified in the Annex.

Annex II, Part A, Article 4 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATFM function shall cover all ATFM phases (strategic, pre-tactical, tactical and post operations) as identified in the ICAO provisions referred to in the Appendix. It shall comply with these ICAO provisions.

PRPL-07- The Network Manager together with Local ATFCM Units SHALL ensure that ATFCM is carried out in four phases:

- a) Strategic Flow Management which takes place seven days or more prior to the day of operation and includes research, planning and coordination activities.
- b) Pre-Tactical Flow Management which is applied during six days prior to the day of operation and consists of planning and coordination activities.
- c) Tactical Flow Management which is applied on the day of operation. This phase updates the daily plan according to the actual traffic and capacity. The management of the traffic is made through slot allocation and/or ad-hoc routings.
- d) Post Operations Management which is applied following the day of operation. This phase analyses the day of operation, and feeds back into the previous three phases.

2.1.7.

Article 3 of Regulation (EC) 255/2010 (ATFM Regulation)

2. ATFM shall be governed by the following principles:

(a) ATFM measures shall:

(iv) support the management of critical events;

Annex II, Part B, Article 16.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

With respect to critical events:

(a) the Network Manager shall develop, maintain and publish ATFM procedures for handling critical events at the network level. ATFM procedures shall set out the actions to be taken by relevant operational stakeholders in the event of a major disruption of a component of the

network which would result in significant reduction in capacity or major disruptions of traffic flows, or both;

PRPL-08- The Network Manager SHALL ensure that procedures for the management of critical events within the EATMN are agreed and published in coordination with local ATFCM units within their area of responsibility and in cooperation with operators, ATS units, airport managing bodies and entities involved in airspace management.

PRPL-08-01- When planning for or reacting to critical events the Network Manager SHALL ensure that:

- a) Procedures are established and agreed during the strategic phase;
- b) The application of these procedures SHALL be decided upon and performed during the pre-tactical and tactical phases as appropriate;
- c) The procedures relevance SHALL be assessed during the post-operational phase based on performance analyses.

2.1.8.

Article 3 of Regulation (EC) 255/2010 (ATFM Regulation)

2. ATFM shall be governed by the following principles:

(a) ATFM measures shall:

(i) prevent excessive air traffic demand compared with declared air traffic control (ATC) capacity of sectors and airports;

(ii) use EATMN capacity to the maximum extent possible in order to optimise the efficiency of the EATMN and minimise adverse effects on operators;

(iii) optimise the EATMN capacity made available through the development and application of capacity enhancing measures by ATS units;

Annex II, Part B, Article 6.(g) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(g) in coordination with the ATS units and the local ATFM units determine, coordinate and ensure the implementation of appropriate measures aimed at providing the necessary capacity to accommodate traffic demand throughout relevant portions of their area of responsibility;

PRPL-09- The Network Manager in coordination with the ATS units and the local ATFCM units SHALL ensure that ATFCM and capacity management measures are provided to ensure an optimum flow of air traffic to, from, through or within defined areas during times when demand exceeds, or is expected to exceed, the available capacity or monitoring value of the ATS system, including relevant aerodromes. (However, this should not preclude the need for planning airspace to adequately meet demand.)

Annex II, Part B, Article 4.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATFM function shall be governed by the following principles:

(a) ATFM measures shall :

(i) support safe operations and prevent excessive air traffic demand compared with declared ATC capacity of sectors and aerodromes including runways;

(ii) use EATMN capacity to the maximum extent possible in order to optimise the efficiency of the EATMN and minimise adverse effects on operators;

(iii) *optimise the EATMN capacity;*

PRPL-10- The Network Manager in coordination with local ATFCM units SHALL balance demand and capacity by coordinating the optimum use of available resources, utilising ATC capacity to the maximum extent possible and coordinating adequate measures in order to enhance the quality of service and the performance of the ATM system.

Annex II, Part B, Article 7.(d) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATS units shall :

(d) provide the Network Manager and the local ATFM units with the following data and subsequent updates, as technically feasible, in a timely manner and ensuring its quality:

(i) airspace and route structures;

(ii) airspace and route availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005;

(iii) ATS unit sector configurations and activations;

(iv) aerodrome taxi times and runway configurations;

(v) air traffic control sector, and aerodrome capacities including runways;

(vi) updated flight positions;

(vii) deviations from flight plans;

(viii) actual flight take-off times;

(ix) information on the operational availability of the Communication Navigation Surveillance (CNS)/ATM infrastructure.

PRPL-10-01- The Network Manager, together with local ATFCM units, SHALL ensure:

- a) timely collection and collation of data on the air navigation infrastructure, on the capacities of the ATC system and of aerodromes within their area of responsibility and real-time ATM information updates;

Annex II, Part B, Article 6.(d)/(g)/(n) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(d) ensure the development, availability and effective implementation of ATFM measures (for all ATFM phases), together with local ATFM units; when such ATFM measures have a wider network impact, the Network Manager shall establish, through cooperative decision-making, the nature of the ATFM measures to be implemented;

(g) in coordination with the ATS units and the local ATFM units determine, coordinate and ensure the implementation of appropriate measures aimed at providing the necessary capacity to accommodate traffic demand throughout relevant portions of their area of responsibility;

(n) enable the appropriate preparation and the predictability of the EATMN, ensure working arrangements to collect timely and updated traffic demand information for all ATFM phases from the airspace users and share this with the local ATFM units.

- b) determination of a coherent picture of expected traffic demand, comparison with available capacity and identification of areas and time periods of expected critical loadings;
- c) coordination with the appropriate authorities in order to make every possible attempt to increase available ATC capacity where this is required, and;

- d) in agreement with ATS units concerned, where ATC capacity shortfalls cannot be eliminated, determination, coordination (including local ATFCM units and operators) and timely implementation of appropriate measures to be applied throughout relevant portions of their area of responsibility.

Annex II, Part B, Article 6.(d)/(g)/(n) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(n) enable the appropriate preparation and the predictability of the EATMN, ensure working arrangements to collect timely and updated traffic demand information for all ATFM phases from the airspace users and share this with the local ATFM units.

PRPL-10-02- The Network Manager, together with local ATFCM units, SHALL use continuously updated data reflecting expected and current traffic demand and capacity within their areas of responsibility.

Annex II, Part B, Article 4.(a)iii. and Article 7(a) and Article 7(d) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Article 4.(a)iii.

The ATFM function shall be governed by the following principles:

(a) ATFM measures shall:

(iii) optimise the EATMN capacity made available through the development and application of capacity enhancing measures by ATS units;

Article 7

The ATS units shall:

(a) coordinate ATFM measures, through the local ATFM unit(s), with the Network Manager in order to ensure that the measures chosen aim at the optimisation of the overall performance of the EATMN;

(d) provide the Network Manager and the local ATFM units with the following data and subsequent updates, as technically feasible, in a timely manner and ensuring its quality:

(i) airspace and route structures;

(ii) airspace and route availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005;

(iv) ATS unit sector configurations and activations;

(iv) aerodrome taxi times and runway configurations;

(v) air traffic control sector, and aerodrome capacities including runways;

(vi) updated flight positions;

(vii) deviations from flight plans;

(viii) actual flight take-off times;

(ix) information on the operational availability of the Communication Navigation Surveillance (CNS)/ATM infrastructure.

PRPL-11- (Recommendation) ATS units should periodically review ATC capacities or monitoring value in relation to traffic demand. This review should be carried out at least once a year or at any time when a major technical or operational change is implemented; and

PRPL-12- (Recommendation) In the event that traffic demand regularly exceeds ATC capacity or monitoring value, resulting in continuing and frequent traffic delays, or it becomes apparent that forecast traffic demand will exceed capacity values or monitoring value, ATC units should, as far as practicable:

- a) Implement steps aimed at maximizing the use of the existing system capacity or monitoring value; and
- b) Develop and implement plans to increase capacity of the existing system to meet the actual or forecast demand.

Annex II, Part B, Article 4.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATFM function shall be governed by the following principles:

(a) ATFM measures shall:

- (i) support safe operations and prevent excessive air traffic demand compared with declared ATC capacity of sectors and aerodromes including runways;*
- (ii) use EATMN capacity to the maximum extent possible in order to optimise the efficiency of the EATMN and minimise adverse effects on operators;*
- (iii) optimise the EATMN capacity;*
- (iv) support the management of critical events.*

PRPL-12-01- When strategically developing capacity enhancing measures, ATS units SHALL take into account the following elements:

- a) safety aspects, human and technical resources;

PRPL-12-02- (Recommendation) When strategically developing capacity enhancing measures, ATS units should take into account the following elements:

- b) airspace design and organisation (including sectorisation), airspace management (including the flexible use of airspace);
- c) ATC procedures applicable within the airspace concerned
- d) ATM system support.

2.1.9.

Article 3 of Regulation (EC) 255/2010 (ATFM Regulation)

3. The allocation of ATFM departure slots shall give priority to flights according to the order of their planned entry into the location at which the ATFM measure will apply, unless specific circumstances require application of a different priority rule which is formally agreed and is of benefit to the EATMN.

The first subparagraph may be applied to flights which are unable to accept the re-routing option to avoid or alleviate congested areas, taking into consideration the location and extent of the congested area.

Annex II, Part B, Article 4.(b) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATFM function shall be governed by the following principles:

- (b) the allocation of ATFM departure slots shall give priority to flights according to the order of their planned entry into the location at which the ATFM measure will apply, unless specific circumstances such as those stemming from security and defence needs, require application of a different priority rule which is agreed and is of benefit to the EATMN;*

PRPL-13- Unless specific circumstances require application of a different priority rule, the Network Manager SHALL allocate ATFCM departure slots in accordance with the first-planned, first-served principle (all the flights entering the regulated airspace are sequenced in the order they would have arrived in the absence of any restriction). The circumstances that require different priority rules include:

- a) exclusion of certain traffic flows that enter but do not reduce the capacity of the location of the measure;
- b) exemption of certain traffic flows where there is a benefit to the network;
- c) exclusion or forcing of specific flights in order to reduce excessive individual delays and optimise the use of capacity.
- d) exclusion and prioritization of specific flights that are not able to benefit from rerouting measures due to overflight permissions or similar constraints.

Annex II, Part B, Article 4.(d) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATFM function shall be governed by the following principles:

(d) flights departing from the geographical area where ATFM measures are applied and adjacent Flight Information Regions as described in the appropriate ICAO documentation shall be subject to ATFM slot allocation. Flights departing from other areas shall be exempted from ATFM slot allocation but shall however be subject to route, traffic orientations schemes and trajectory time constraints;

PRPL-13- 01- Flights departing from areas beyond adjacent FIRs as set out in the ATFCM Handbook SHALL be exempted from central unit for ATFCM slot allocation.

PRPL-13-02- Flights departing from areas beyond adjacent FIRs as set out in the ATFCM Handbook SHALL however be subject to route and traffic orientation schemes.

2.1.10.

Article 4 of Regulation (EC) 255/2010 (ATFM Regulation)

2. The definition and implementation of ATFM measures shall be compatible with Member States security and defence requirements, in order to ensure efficiency in airspace planning, allocation and use for the benefit of parties referred in Article 1(3).

Annex II, Part B, Article 5.(b) and Article 7.(d)ii of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Article 5.(b)

Member States shall ensure that:

(b) in order to ensure efficient airspace planning allocation and efficient use, as well as direct links between airspace management and ATFM, consistent procedures are established for the cooperation between the parties involved in the ATFM function, ATS units and entities involved in airspace management;

Article 7.(d)

The ATS units shall:

(d) provide the Network Manager and the local ATFM units with the following data and subsequent updates, as technically feasible, in a timely manner and ensuring its quality:

(ii) airspace and route availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005;

PRPL-14- Member States SHALL ensure that entities involved in airspace management, ATS units, local ATFCM units and the Network Manager comply with Regulation (EC) 2150/2005 (FUA Regulation).

PRPL-14-01- The Network Manager SHALL establish a function for the coordination of EATMN military activity.

2.1.11.

Article 9 of Regulation (EC) 255/2010 (ATFM Regulation)

1. Member States shall ensure that, where requested by an airport slot coordinator or a managing body of a coordinated airport, the central unit for ATFM or the local ATFM unit shall provide them with the accepted flight plan of a flight operating at that airport, before that flight takes place. The airport slot coordinators or the managing bodies of coordinated airports shall arrange access to the accepted flight plans provided by the central unit for ATFM or the local ATFM unit.

Annex II, Part B, Article 14.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

With respect to consistency between flight plans and airport slots:

(a) where requested by an airport slot coordinator or an airport operator of a coordinated airport, the Network Manager or the local ATFM unit shall provide them with the flight plan of a flight operating at that airport, before that flight takes place. The airport slot coordinators or the airport operators of coordinated airports shall provide the infrastructure required for the reception of the flight plans provided by the Network Manager or the local ATFM unit for;

PRPL-15- The Network Manager in close collaboration with local ATFCM units SHALL ensure that procedures and systems are established and maintained, (including relevant addresses and acceptable communication medium), to facilitate the timely provision, upon request, of an accepted flight plan to the airport slot coordinator or airport managing body of the departure and/or arrival airport.

PRPL-15-01- The airport slot coordinator or airport managing body of the departure and/or arrival airport receiving that flight plan SHALL ensure arrangements are in place to facilitate the other party's timely access to the flight plan.

PRPL-16- Airport slot coordinators and airport managing bodies wishing to receive accepted flight plans SHALL provide the Network Manager with correct addresses as well as any other necessary information.

2.1.12.

Article 5 of Regulation (EC) 255/2010 (ATFM Regulation)

Member States shall ensure that the central unit for ATFM:

(c) ensures the effective implementation of ATFM measures, together with local ATFM units;

Annex II, Part B, Article 6.(d) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(d) ensure the development, availability and effective implementation of ATFM measures (for all ATFM phases), together with local ATFM units; when such ATFM measures have a wider network impact, the Network Manager shall establish, through cooperative decision-making, the nature of the ATFM measures to be implemented;

PRPL-17- The Network Manager together with local ATFCM units SHALL put in place procedures to ensure the effective application and operation of ATFCM measures.

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3. REQUIREMENTS

3.1. ATFCM REQUIREMENTS – [-REQ-]

3.1.1.

Article 4 of Regulation (EC) 255/2010 (ATFM Regulation)

4. A common reference document containing the policies, procedures and description for route and traffic orientation shall be created. Where applicable, publication of route availability in national aeronautical information publications shall be fully consistent with this common reference document.

Annex II, Part B, Article 6.(d)(e)(f) and Article 7.(d)ii of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Article 6

The Network Manager shall:

(d) ensure the development, availability and effective implementation of ATFM measures (for all ATFM phases), together with local ATFM units; when such ATFM measures have a wider network impact, the Network Manager shall establish, through cooperative decision-making, the nature of the ATFM measures to be implemented;

(e) in coordination with local ATFM units, identify alternative routings to avoid or alleviate congested areas, taking into account the overall performance of the EATMN;

(f) offer a re-routing to those flights that would optimise the effect of point (e);

Article 7.

The ATS units shall:

(d) provide the Network Manager and the local ATFM units with the following data and subsequent updates, as technically feasible, in a timely manner and ensuring its quality:

ii. airspace and route availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005;

REQ-01- The Network Manager, in close cooperation with the ATS and ATFCM units, SHALL ensure that:

- a) a traffic orientation scheme is introduced in which routes, as far as practicable, minimize the time and distance penalties for the flights concerned, and allow some degree of flexibility in the choices of routes, particularly for long-range flights;
- b) once agreed by all ATS and ATFCM units concerned, details of the traffic orientation scheme are promulgated and published in a common format.

REQ-02- The Network Manager, in cooperation with the ATS and ATFCM units and operators, SHALL finalise the review of the traffic orientation scheme during the strategic phase and update it each AIRAC cycle, following a structured standard process of requirement, validation and publication.

REQ-03- The Network Manager SHALL coordinate all permanent amendments to the traffic orientation scheme, or the period of validity, with the ATS, ATFCM units and AO organisations concerned.

REQ-04- The Network Manager SHALL ensure that the RAD is periodically reviewed.

REQ-05- Member States SHALL ensure the accuracy and the consistency of the traffic orientation scheme data provided to the Network Manager.

3.1.2.

Article 4 of Regulation (EC) 255/2010 (ATFM Regulation)

5. Common procedures for requesting exemption from an ATFM departure slot shall be drawn up in accordance with the ICAO provisions specified in the Annex. Those procedures shall be coordinated with the central unit for ATFM and published in national aeronautical information publications.

Annex II, Part B, Article 5.(c) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Member States shall ensure that:

(c) common procedures for requesting exemption from an ATFM departure slot are in accordance with the ICAO provisions referred to in the Appendix. Those procedures shall be coordinated with the Network Manager through its central unit for ATFM and published in national aeronautical information publications.

REQ-06- Member States SHALL establish and publish common procedures for aircraft operators to request ATFCM slot allocation exemptions. Those procedures shall be coordinated with the Network Manager.

Annex II, Part B, Article 5.(c) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Member States shall ensure that:

(c) common procedures for requesting exemption from an ATFM departure slot are in accordance with the ICAO provisions referred to in the Appendix. Those procedures shall be coordinated with the Network Manager through its central unit for ATFM and published in national aeronautical information publications.

REQ-07- Member States SHALL ensure that the following flights are exempted from ATFCM measures:

- a) flights carrying Heads of State (or equivalent status);
- b) flights engaging in fire fighting
- c) flights conducting search and rescue operations;
- d) flights for life critical medical emergencies evacuations
- e) flights approved for exemption from ATFCM measures by the appropriate ATS authority STS/ATFMEX

3.1.3.

Article 4 of Regulation (EC) 255/2010 (ATFM Regulation)

3. Consistent procedures shall be established for the cooperation between the parties involved in ATFM function, ATS units and entities involved in airspace management, in order to optimise the use of the airspace.

Annex II, Part B, Article 5.(b) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Member States shall ensure that:

(b) in order to ensure efficient airspace planning allocation and efficient use, as well as direct links between airspace management and ATFM, consistent procedures are established for the cooperation between the parties involved in the ATFM function, ATS units and entities involved in airspace management;

REQ-08- Member States SHALL establish and authorise a focal point, or airspace management cells, or joint civil and military AMCs to manage their airspace on a daily basis.

REQ-09- (Recommendation) Whenever possible the AMC and FMP functions should be integrated.

3.1.4.

Article 5 of Regulation (EC) 255/2010 (ATFM Regulation)

Member States shall ensure that the central unit for ATFM:

(b) consults with operators on the definition of ATFM measures;

Annex II, Part B, Article 6.(b) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(b) consult operators on the definition of ATFM measures;

REQ-10- The Network Manager SHALL involve AOs in the definition of ATFCM measures during all ATFCM phases by application of the Collaborative Decision Making (CDM) process.

3.1.5.

Article 5 of Regulation (EC) 255/2010 (ATFM Regulation)

Member States shall ensure that the central unit for ATFM:

(f) provides information on ATFM in a timely manner to operators and ATS units, including:

(i) planned ATFM measures;

(ii) impact of ATFM measures on take-off time and flight profile of individual flights;

Annex II, Part B, Article 6.(h) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(h) provide information on ATFM operations in a timely manner to aircraft operators, local ATFM units and ATS units, including:

(i) planned ATFM measures;

(ii) impact of ATFM measures on take-off time and flight profile of individual flights;

REQ-10-01- The Network Manager SHALL ensure that procedures are in place to provide information on all ATFCM measures in a timely manner.

Annex II, Part B, Article 6.(b)(h) and Article 12.(c) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Article 6.

The Network Manager shall:

(b) consult operators on the definition of ATFM measures;

(h) provide information on ATFM operations in a timely manner to aircraft operators, local ATFM units and ATS units, including:

(i) planned ATFM measures;

(ii) impact of ATFM measures on take-off time and flight profile of individual flights;

Article 12.

The aircraft operators shall:

(c) participate in the working arrangements established by the Network Manager facilitating timely and updated information on air traffic demand for all ATFM phases.

REQ-11- To facilitate the integration of the AOs into the operations, the Network Manager SHALL establish an Aircraft Operator Liaison Cell, to be staffed by representatives of the aircraft operators.

REQ-11-01- The Network Manager SHALL ensure that the Cell provides the focal point for the AOs for coordination and information about the airspace and ATFCM situation in the area of responsibility of the Network Manager.

REQ-11-02- In the strategic phase the Network Manager SHALL ensure that the Cell liaises with the Network Manager, AOs and ATM providers in order to:

- a) propose developments to the Network Manager processes and measures for benefit airspace users and ATM providers,
- b) follow up on any repetitive problems affecting the AOs, and monitor the equity of the flow management process.

REQ-11-03- In the pre-tactical phase the Network Manager SHALL ensure that the Cell contributes to the preparation of the ATFCM Daily Plan by forwarding views of AOs and coordinating ATFCM measures (e.g. re-routeing scenarios) with them.

REQ-11-04- In the tactical phase the Network Manager SHALL ensure that the Cell acts as the main point of contact with the AOs concerning any ATFCM measures.

REQ-11-05- The Network Manager SHALL ensure that the Cell leads coordination with AOs in the event of any critical event in the area of responsibility of the Network Manager.

3.1.6.

Article 6 of Regulation (EC) 255/2010 (ATFM Regulation)

1. When an ATFM measure has to be applied, ATS units shall coordinate through the local ATFM unit with the central unit for ATFM in order to ensure that the choice of measure is made with respect to the optimisation of the overall performance effects on the EATMN.

3. ATS units shall ensure that ATFM measures applied to airports are coordinated with the airport managing body concerned, in order to ensure efficiency in airport planning and usage for the benefit of parties referred to in Article 1(3).

Annex II, Part B, Article 7.(a)/(b)/(d) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATS units shall:

(a) coordinate ATFM measures, through the local ATFM unit(s), with the Network Manager in order to ensure that the measures chosen aim at the optimisation of the overall performance of the EATMN;

(b) ensure that ATFM measures applied to airports are coordinated with the airport operator concerned, in order to ensure efficiency in airport planning and usage for the benefit of all concerned operational stakeholders;

(d) provide the Network Manager and the local ATFM units with the following data and subsequent updates, as technically feasible, in a timely manner and ensuring its quality:

(i) airspace and route structures;

(ii) airspace and route availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005;

(iii) ATS unit sector configurations and activations;

(iv) aerodrome taxi times and runway configurations;

(v) *air traffic control sector, and aerodrome capacities including runways;*
 (vi) *updated flight positions;*
 (vii) *deviations from flight plans;*
 (viii) *actual flight take-off times;*
 (ix) *information on the operational availability of the Communication Navigation Surveillance (CNS)/ATM infrastructure.*

REQ-12- When the traffic demand exceeds, or is predicted to exceed, the capacity or monitoring value of a particular traffic volume, the responsible ATS unit or central unit for ATFCM, as defined in the LoA, SHALL advise the responsible local ATFCM unit.

REQ-13- The responsible ATS unit SHALL ensure that a decision to implement and execute ATFCM measures within the Area of Responsibility of a local ATS unit is preceded by coordination between the Network Manager, local ATFCM unit and that local ATS unit.

REQ-13-01- This process SHALL be conducted by the principles established for the concept of Collaborative Decision Making (CDM).

REQ-14- Once the choice of ATFCM measures applied to airports has been coordinated with the Network Manager (through local ATFCM units), the ATS unit at the airport concerned SHALL coordinate the measures with the airport managing body.

3.1.7.

Article 6 of Regulation (EC) 255/2010 (ATFM Regulation)
 4. *ATS units shall notify to the central unit for ATFM through the local ATFM unit all events that may impact air traffic control capacity or air traffic demand.*

Annex II, Part B, Article 6.(a) and Article 7.(c) and Article 10.(e) and Article 16.(b) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Article 6.

The Network Manager shall:

(a) optimise the overall performance of the EATMN through planning, coordination and implementation of agreed ATFM measures, including for transition plans for the entry into service of major airspace or ATM systems improvements and for adverse weather, through cooperative decision-making;

Article 7.

The ATS units shall:

(c) notify to the Network Manager, through the local ATFM unit, all events, including transition plans for the entry into service of major airspace or ATM systems improvements and adverse weather, that may impact air traffic control capacity or air traffic demand and proposed mitigation;

Article 10.

The local ATFM units shall:

(e) notify to the Network Manager all events, including transition plans for the entry into service of major airspace or ATM systems improvements and for adverse weather, that may impact air traffic control capacity or air traffic demand and proposed mitigations;

Article 16.

(b) in the preparation for critical events, ATS units and airport operators, shall coordinate the relevance and content of the contingency procedures with the Network Manager and local ATFM units, aircraft operators affected by critical events, and as appropriate the

airport slot coordinators, including any adjustment to priority rules. The contingency procedures shall include:

- (i) organisational and coordination arrangements;*
- (ii) ATFM measures to manage access to affected areas to prevent excessive air traffic demand compared with declared capacity of the whole or part of the airspace or airports concerned;*
- (iii) circumstances, conditions and procedures for the application of priority rules for flights, which respect Member States' essential security or defence policy interests;*
- (iv) recovery arrangements.*

REQ-15- ATC units SHALL advise the local ATFCM unit of all events that may impact air traffic control capacity or air traffic demand.

REQ-15-01- The local ATFCM unit SHALL coordinate appropriate ATFCM measures with the Network Manager.

REQ-16- In case of particular events which have an impact on the declared capacity or monitoring value of a sector or aerodrome, ATS units and airport operators together with Network Manager and local ATFCM units SHALL establish a procedure:

- a) to determine the value of the reduced capacity or monitoring value of the airspace or aerodrome concerned, for the required time period.
- b) for recovery arrangements

3.1.8.

Article 6 of Regulation (EC) 255/2010 (ATFM Regulation)

5. ATS units shall provide the central unit for ATFM with the following data and subsequent updates, in a timely manner and ensuring its quality:

- (a) availability of airspace and route structures,*
- (b) ATS unit sector configurations and activations,*
- (c) aerodrome taxi times,*
- (d) air traffic control sector and airport capacities,*
- (e) route availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005,*
- (h) airspace availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005,*

The data shall be made available to parties referred to in Article 1(3) and provided free of charge to, and by, the central unit for ATFM.

Annex II, Part B, Article 7.(d) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATS units shall:

(d) provide the Network Manager and the local ATFM units with the following data and subsequent updates, as technically feasible, in a timely manner and ensuring its quality:

- (i) airspace and route structures;*
- (ii) airspace and route availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005;*
- (iii) ATS unit sector configurations and activations;*
- (iv) aerodrome taxi times and runway configurations;*

- (v) *air traffic control sector, and aerodrome capacities including runways;*
- (vi) *updated flight positions;*
- (vii) *deviations from flight plans;*
- (viii) *actual flight take-off times;*
- (ix) *information on the operational availability of the Communication Navigation Surveillance (CNS)/ATM infrastructure.*

REQ-17- ATC units SHALL be responsible for ensuring the Network Manager has all the data and information required in each of the ATFCM phases to make the most effective use of available capacity and to implement the most effective ATFCM plan.

REQ-17-01- ATS units, through local ATFCM units, SHALL provide the Network Manager with 'local knowledge', including any data or information which could be considered as necessary or useful in the effective and efficient execution of the ATFCM task.

REQ-17-02- ATS units, through local ATFCM units SHALL provide the Network Manager with data and changes thereto as follows:

- a) environment data (including availability of airspace and ATS routes, taking into account the application of flexible use of airspace);
- b) traffic volumes;
- c) flows to be associated to a reference location;
- d) ATC capacity (sectors, aerodromes/sets of aerodromes and points) and monitoring values, including temporary values;
- e) sector configurations and activations;
- f) taxi times and runway configurations;

REQ-18- To facilitate the CDM process local ATFCM units SHALL assist the Network Manager with checking the sector configurations, activation time periods, capacity and monitoring values for correctness.

3.1.9.

Article 6 of Regulation (EC) 255/2010 (ATFM Regulation)
 2. *When necessary, ATS reporting offices shall facilitate the exchange of information between pilots or operators and the local or the central unit for ATFM.*

Annex II, Part B, Article 11. of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)
Where an ATS reporting office is established, it shall facilitate the exchange of information between pilots or operators and the local ATFM unit or the Network Manager providing central ATFM.

REQ-19- ATS reporting offices (AROs) SHALL support the exchange of information:

- a) from AOs to the local ATFCM unit and/or the Network Manager, for flight planning purposes;
- b) from the local ATFCM unit and/or the Network Manager to AOs, for aeronautical information and ATFCM purposes.

3.1.10.

Article 5 of Regulation (EC) 255/2010 (ATFM Regulation)

Member States shall ensure that the central unit for ATFM:

(d) in coordination with local ATFM units identifies alternative routings to avoid or alleviate congested areas, taking into account the overall performance effects on the EATMN;

(e) offers a re-routing to those flights that would optimise the effect of point (d);

Annex II, Part B, Article 6.(e)/(f) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(e) in coordination with local ATFM units, identify alternative routings to avoid or alleviate congested areas, taking into account the overall performance of the EATMN;

(f) offer a re-routing to those flights that would optimise the effect of point (e);

REQ-20- Member States SHALL ensure that the Network Manager , local ATFCM units and AOs identify flows for which rerouting proposals and scenarios are made available to avoid or alleviate congested areas, that are consistent with the TOS but avoid the critical area.

REQ-21- The Network Manager, in coordination with local ATFCM units, SHALL develop reroute solutions to:

- a) help resolve forecast ATC capacity problems;
- b) achieve a global decrease of delays by spreading the traffic;
- c) enable operators to choose between acceptable delays and preferred routings
- d) overcome some of limitations of the traffic orientation scheme and improve capacity management.

Reroute solutions may be for particular flows or for selected individual flights.

REQ-22- The Network Manager SHALL identify any risk of major imbalance between demand and capacity, and may decide, after agreement with all local ATFCM units concerned, to make part (or all) of the alternative routeings mandatory for the period expected to be critical.

3.1.11.

Article 6 of Regulation (EC) 255/2010 (ATFM Regulation)

6. The ATS unit at the departure airport shall ensure that:

(a) where a flight is subject to an ATFM departure slot, that slot is included as part of the air traffic control clearance;

(b) flights adhere to ATFM departure slots;

Annex II, Part B, Article 9. of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

To ensure network predictability, the ATS unit at the departure airport shall ensure that flights not adhering to their estimated off blocks time, taking into account the established time tolerance or the flight plan of which has been rejected or suspended are not given a take-off clearance.

REQ-23- ATS Units SHALL be responsible for ATFCM slot compliance at departure aerodromes. Whereas the exact procedures to be followed will depend on the way ATS is organised at each aerodrome, the following requirements SHALL apply in all cases, unless otherwise coordinated:

- a) a slot tolerance is a window of time around a CTOT available to ATC for which the aircraft must not depart outside

- b) ATS units SHALL provide all possible assistance to operators to meet ATFCM slots or to coordinate a revised ATFCM slot.

Annex II, Part C, Article 3. of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

In case of any failure to adhere to flight plan rejections or suspensions, the ATS unit at the airport concerned SHALL provide relevant information to the Network Manager on the non-adherence and the actions taken to ensure adherence. Such actions SHALL be indicated in a report to be submitted by the Network Manager to the Commission.

REQ-24- The ATS unit at the airport concerned shall provide relevant information to the State and the Network Manager on the non-adherence and the actions taken to ensure compliance monitoring. Such actions shall be indicated in a report to be submitted by the State and the Network Manager to the Commission.

3.1.12.

Article 6 of Regulation (EC) 255/2010 (ATFM Regulation)

6. The ATS unit at the departure airport shall ensure that:

(d) flights whose flight plan has been rejected or suspended are not given take-off clearance.

Annex II, Part B, Article 9. of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

To ensure network predictability, the ATS unit at the departure airport shall ensure that flights not adhering to their estimated off blocks time, taking into account the established time tolerance or the flight plan of which has been rejected or suspended are not given a take-off clearance.

REQ-25- The ATC unit at the departure airport, when in receipt of a notification of a rejected or suspended flight plan, SHALL not give take-off clearance to the affected flight.

3.1.13.

Article 5 of Regulation (EC) 255/2010 (ATFM Regulation)

Member States shall ensure that the central unit for ATFM:

(h) suspends a flight plan when, considering the time tolerance, the ATFM departure slot cannot be met and a new estimated off-block time is not known;

Annex II, Part B, Article 6.(j) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(j) suspend a flight plan when, considering the time tolerance, the ATFM departure slot cannot be met and a new estimated off-block time is not known;

REQ-26- The Network Manager SHALL ensure that procedures are in place to enable identification of those flights that will not be able to meet their ATFCM departure slot and for which a new expected off blocks time is not known.

3.1.14.

Article 6 of Regulation (EC) 255/2010 (ATFM Regulation)

6. The ATS unit at the departure airport shall ensure that:

(c) flights not adhering to their estimated off blocks time, taking into account the established time tolerance, are not given take-off clearance;

Annex II, Part B, Article 9. of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

To ensure network predictability, the ATS unit at the departure airport shall ensure that flights not adhering to their estimated off blocks time, taking into account the established time tolerance or the flight plan of which has been rejected or suspended are not given a take-off clearance.

REQ-27- AOs SHALL always file an accurate estimated off-block time which, at the time of filing, is known to be the true estimated off-block time.

REQ-28- AOs SHALL communicate to the Network Manager any changes to the estimated off-block time of more than 15 minutes. Where an AO is unable to comply with a CTOT this time may be less than 15 minutes.

REQ-29- the ATC unit at the departure airport SHALL ensure that procedures are in place to enable it to be aware of current expected off blocks times for flights operating from that airport and does not give take-off clearance to those flights that have missed its estimated off blocks time, taking into account the established time tolerance.

3.1.15.

Article 6 of Regulation (EC) 255/2010 (ATFM Regulation)

5. ATS units shall provide the central unit for ATFM with the following data and subsequent updates, in a timely manner and ensuring its quality:

- (f) updated flight positions,*
- (g) deviations from flight plans,*
- (i) actual flight take-off times.*

The data shall be made available to parties referred to in Article 1(3) and provided free of charge to, and by, the central unit for ATFM.

Annex II, Part B, Article 7.(d) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The ATS units shall:

(d) provide the Network Manager and the local ATFM units with the following data and subsequent updates, as technically feasible, in a timely manner and ensuring its quality:

- (i) airspace and route structures;*
- (ii) airspace and route availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005;*
- (iii) ATS unit sector configurations and activations;*
- (iv) aerodrome taxi times and runway configurations;*
- (v) air traffic control sector, and aerodrome capacities including runways;*
- (vi) updated flight positions;*
- (vii) deviations from flight plans;*
- (viii) actual flight take-off times;*
- (ix) information on the operational availability of the Communication Navigation Surveillance (CNS)/ATM infrastructure.*

REQ-30- ATS units SHALL provide the Network Manager with the necessary data concerning the progress of airborne flights including actual take-off time and significant deviations from the flight plan route.

3.1.16.

Annex II, Part B, Article 6.(d) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(d) ensure the development, availability and effective implementation of ATFM measures (for all ATFM phases), together with local ATFM units; when such ATFM measures have a wider network impact, the Network Manager shall establish, through cooperative decision-making, the nature of the ATFM measures to be implemented;

REQ-31 If the measures affect more than one ACC and depending on the network effect and reason of capacity-demand imbalance, Network Manager SHALL establish, in coordination with relevant operational stakeholders, Strategic, PreTactical and Tactical measures.

REQ-32 Through cooperative decision making process, Network Manager SHALL provide to operational stakeholders network effects and operational improvements generated by measures.

REQ-33 Following cooperative decision making process, Operational Stakeholders SHALL apply the measures.

3.2. FLIGHT PLANNING REQUIREMENTS – [-FPL-]

3.2.1.

Article 7 of Regulation (EC) 255/2010 (ATFM Regulation)

1. Each intended flight shall be covered by a single flight plan. The filed flight plan shall correctly reflect the intended flight profile.

Annex II, Part B, Article 12.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The aircraft operators shall:

(a) provide a single flight plan for each intended flight. The filed flight plan shall correctly reflect the intended flight profile;

FPL-01- For all IFR flights, including the IFR portions of mixed IFR/VFR flights, entering, overflying or departing the area of responsibility of the Network Manager, AOs SHALL submit a flight plan (and associated message) to the Network Manager either directly or via the ATS Reporting Office (ARO) serving the aerodrome of departure.

FPL-02- AOs SHALL ensure that only one flight plan exists at any given time for the same flight.

FPL-03- AOs SHALL ensure that the flight plan accurately reflects their intended flight profile.

FPL-04- (Recommendation) AOs should submit the flight plans at least three hours before the estimated off-block time. This does not apply to flights exempted from ATFCM measures.

3.2.2.

Article 7 of Regulation (EC) 255/2010 (ATFM Regulation)

2. All relevant ATFM measures and changes thereto shall be incorporated into the planned flight operation and communicated to the pilot.

Annex II, Part B, Article 12.(b) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The aircraft operators shall:

(b) ensure that all relevant ATFM measures and changes thereto are incorporated into the planned flight operation;

FPL-05- AOs SHALL inform themselves and inform the flight crews, of flights which are or will be subject to ATFCM measures.

FPL-05-01- AOs SHALL inform themselves of any subsequent changes to ATFCM measures to which they are subject.

FPL-06- AOs SHALL adhere to:

- a) General ATFCM procedures including flight plan filing, strategic ATFCM measures and message exchange requirements; and
- b) Current ATFCM measures (e.g. specific measures applicable on the day in question such as ATFCM slot or flight suspension).

3.2.3.

Article 7 of Regulation (EC) 255/2010 (ATFM Regulation)

4. Where a flight plan has been suspended in accordance with Article 5(h), the operator concerned shall arrange for updating or cancelling the flight plan.

Annex II, Part B, Article 12.(a) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The aircraft operators shall:

(a) provide a single flight plan for each intended flight. The filed flight plan shall correctly reflect the intended flight profile;

FPL-07- To respond to a flight suspension, AOs SHALL either update their estimated off-block time or cancel the flight plan.

Annex II, Part B, Article 6.(d)/(j) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(d) ensure the development, availability and effective implementation of ATFM measures (for all ATFM phases), together with local ATFM units; when such ATFM measures have a wider network impact, the Network Manager shall establish, through cooperative decision-making, the nature of the ATFM measures to be implemented;

(j) suspend a flight plan when, considering the time tolerance, the ATFM departure slot cannot be met and a new estimated off-block time is not known;

FPL-08- The Network Manager SHALL respond to an update of an estimated off-block time following a flight suspension by de-suspending the flight or allocating a new ATFCM departure slot.

3.2.4.**Article 11 of Regulation (EC) 255/2010 (ATFM Regulation)**

2. The ATS unit at that airport concerned shall provide relevant information on any failure to adhere to flight plan rejections or suspensions at that airport and of the actions taken to ensure adherence. Such actions shall be indicated in a report to be submitted by the Member State concerned to the Commission.

Annex II, Part C, Article 3 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

In case of any failure to adhere to flight plan rejections or suspensions, the ATS unit at the airport concerned shall provide relevant information to the Network Manager on the non-adherence and the actions taken to ensure adherence. Such actions shall be indicated in a report to be submitted by the Network Manager to the Commission.

FPL-09- Member States SHALL ensure that appropriate procedures are in place to monitor the adherence to flight plan rejections or suspensions at airports in their area of responsibility.

FPL-10- Member States SHALL ensure that ATS units at airports in their area of responsibility, are notified of their failure to adhere to flight plan rejections or suspensions,

FPL-10-01- Member States SHALL ensure that ATS units at airports in their area of responsibility so notified above provide them with relevant information of the non-compliance.

FPL-11- Member States and ATS units in their area of responsibility SHALL take such actions as are considered appropriate to ensure subsequent adherence to flight plan rejections or suspensions.

Article 7 of Regulation (EC) 255/2010 (ATFM Regulation)

3. Where departing from an airport not subject to an ATFM departure slot, operators are responsible for adhering to their estimated off blocks time, taking into account a time tolerance as laid down in relevant ICAO provisions specified in the Annex.

Annex II, Part B, Article 12.(a)/(b) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The aircraft operators shall:

(a) provide a single flight plan for each intended flight. The filed flight plan shall correctly reflect the intended flight profile;

(b) ensure that all relevant ATFM measures and changes thereto are incorporated into the planned flight operation;

FPL-12- AOs SHALL ensure that in the event of a deviation of 15 minutes from the estimated off-blocks time, when departing from an airport not subject to an ATFCM departure slot on a flight for which a flight plan has been submitted, the flight plan SHALL be amended, or a new flight plan submitted and the old flight plan cancelled, whichever is applicable.

3.3. CRITICAL EVENTS REQUIREMENTS – [-CRIT-]

3.3.1.

Article 10 of Regulation (EC) 255/2010 (ATFM Regulation)

1. Member States shall ensure that ATFM procedures for handling critical events are established and published by the central unit for ATFM, in order to minimise disruption to the EATMN.

2. In the preparation for critical events, ATS units and airport managing bodies shall coordinate the relevance and content of the contingency procedures with operators affected by critical events, including any adjustment to priority rules.

The contingency procedures shall include:

- (a) Organisational and coordination arrangements,
- (b) ATFM measures to manage access to affected areas to prevent excessive air traffic demand compared with declared capacity of the whole or part of the airspace or airports concerned,
- (c) Circumstances, conditions and procedures for the application of priority rules for flights, which respect Member States' essential security or defence policy interests,
- (d) Recovery arrangements.

Annex II, Part B, Article 16. of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

With respect to critical events:

(a) the Network Manager shall develop, maintain and publish ATFM procedures for handling critical events at the network level. ATFM procedures shall set out the actions to be taken by relevant operational stakeholders in the event of a major disruption of a component of the network which would result in significant reduction in capacity or major disruptions of traffic flows, or both;

(b) in the preparation for critical events, ATS units and airport operators, shall coordinate the relevance and content of the contingency procedures with the Network Manager and local ATFM units, aircraft operators affected by critical events, and as appropriate the airport slot coordinators, including any adjustment to priority rules. The contingency procedures shall include:

- (i) organisational and coordination arrangements;
- (ii) ATFM measures to manage access to affected areas to prevent excessive air traffic demand compared with declared capacity of the whole or part of the airspace or airports concerned;
- (iii) circumstances, conditions and procedures for the application of priority rules for flights, which respect Member States' essential security or defence policy interests;
- (iv) recovery arrangements.

CRIT-01- The Network Manager SHALL develop, maintain and publish contingency plans defining the actions to be taken in the event of a major failure of a component of the ATFCM service which would result in significant reductions in capacity and/or major disruption to traffic flows.

CRIT-01-01- The Network Manager SHALL publish local contingency plans defining the actions to be taken in the event of a failure of a local component of the ATM service which would result in significant reductions in capacity and/or major disruption to traffic flows.

CRIT-02- Local ATFCM units SHALL have in place pre-defined contingency plans detailing the configurations, capacities and strategies in each critical event for their area of

responsibility, in order to enable the Network Manager to assist local ATFCM units in contingency operation.

CRIT-02-01- Local ATFCM units SHALL coordinate their contingency plans with the Network Manager and where appropriate with relevant operational stakeholders

CRIT-02-02- Local ATFCM units SHALL be responsible for ensuring such plans are kept updated and notified to the Network Manager.

3.4. SAFETY REQUIREMENTS – [-SAFE-]

3.4.1.

Article 13 of Regulation (EC) 255/2010 (ATFM Regulation)

Member States shall ensure that a safety assessment, including hazard identification, risk assessment and mitigation, is conducted, before any significant changes to ATFM systems and procedures are introduced, including an assessment of a safety management process addressing the complete lifecycle of the air traffic management system.

No reference in Regulation (EU) 2019/123 (Network Functions Implementing Regulation). Refer to IR (EU) 2017/373 (Air Traffic Management Common Requirements Implementing Regulation)

SAFE-01- Member States SHALL ensure that the parties involved in ATFCM (or agents acting on their behalf) comply with the EUROCONTROL Safety Regulatory Requirements for use of safety management systems by ATM service providers (ESARR 3 or appropriate IR).

SAFE-02- Member States SHALL ensure that the parties involved in ATFCM (or agents acting on their behalf) comply with the EUROCONTROL Safety Regulatory Requirements for risk assessment and mitigation, including hazard identification, in Air Traffic Management (ATM) when introducing and/or planning changes to the ATM System (ESARR 4 or appropriate IR).

SAFE-03- Member States SHALL ensure that the parties involved in ATFCM (or agents acting on their behalf) comply with the EUROCONTROL Safety Regulatory Requirements for software in ATM systems (ESARR 6 or appropriate IR)

SAFE-04- Member States SHALL ensure that all relevant staff are adequately qualified and trained before any changes to operations are introduced, in compliance with the EUROCONTROL Safety Regulatory Requirements for ATM service's personnel (ESARR 5 or appropriate IR).

3.5. COMPLIANCE REQUIREMENTS – [-COM-]

3.5.1.

Article 5 of Regulation (EC) 255/2010 (ATFM Regulation)

Member States shall ensure that the central unit for ATFM:

(g) monitors the occurrences of missing flight plans and multiple flight plans that are filed;

Article 11 of Regulation (EC) 255/2010 (ATFM Regulation)

4. Member States shall ensure that where a non-compliance to ATFM measures resulting from application of Article 5(g) is identified, the central unit for ATFM shall notify the operator of the non-compliance.

5. AOs shall submit a report to the central unit for ATFM on each non-compliance to ATFM measures providing details of the circumstances that resulted in a missing flight plan or multiple flight plans and the actions taken to correct such non-compliance.

6. the central unit for ATFM produces an annual report providing details of missing flight plans, or multiple flight plans that are filed and that the report is submitted to the Commission.

Annex II, Part B, Article 6.(i) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(i) monitor the occurrences of missing flight plans and multiple flight plans that are filed;

Annex II, Part C, Article 5 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall ensure that the aircraft operator is notified of non-adherence to ATFM measures resulting from application of the requirements related to missing and multiple flight plans. Where an aircraft operator has been notified, it shall produce a report providing details of the circumstances and the actions taken to correct such non-adherence. The Network Manager shall produce an annual report to be submitted to the Commission providing details of missing flight plans, or multiple flight plans that are filed.

COM-01- The Network Manager SHALL monitor occurrences when a correlation cannot be established between a flight plan and the execution of that flight, either:

- a) because the flight plan does not exist (case of missing flight plan), or;
- b) because the flight is not executed (case of “ghost” flight plan or multiple flight plans).

COM-01-01- When such occurrences are identified, the Network Manager SHALL notify the Aircraft Operator concerned

COM-01-02- AOs, when so notified by the Network Manager, SHALL report for each non-compliance to ATFCM measures, either through individual reports or after consolidation of the data.

COM-02- Based on the review and consolidation of the adherence reports provided by the Network Manager, by ATS units and by operators, Member States SHALL issue recommendations to improve the level of adherence to ATFCM measures.

3.5.2.

Article 5 of Regulation (EC) 255/2010 (ATFM Regulation)

Member States shall ensure that the central unit for ATFM:

(i) monitors the number of exemptions granted in accordance with Article 4(5).

Article 11 of Regulation (EC) 255/2010 (ATFM Regulation)

3. Member States shall ensure that:

(a) the central unit for ATFM notifies a Member State which grants exemptions in excess of 0,6 % of that Member State's annual departures;

(b) where a Member State has been notified under point (a), it shall produce a report providing details of the exemptions granted to be submitted to the Commission.

Annex II, Part B, Article 6.(k) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall:

(k) monitor the number of exemptions from ATFM measures granted;

COM-03- The Network Manager SHALL implement procedures for monitoring the number and category of exemptions granted by member States.

Annex II, Part C, Article 4 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

In case granted exemptions are in excess of 0,6 % of a Member State's annual departures, the Network Manager shall notify that Member State. Where a Member State has been notified, it shall produce a report providing details of the exemptions granted and submit the report to the Commission.

COM-04- The Network Manager SHALL ensure that a process is implemented to identify and notify a Member State which grants exemptions in excess of 0,6% of that State's annual departures.

COM-04-01- A Member State so notified SHALL ensure that a report providing details of the exemptions granted is submitted to the Commission.

3.5.3.

Article 11 of Regulation (EC) 255/2010 (ATFM Regulation)

7. Member States shall conduct an annual review of adherence to ATFM measures to ensure that parties referred to in Article 1(3) improve the level of adherence to those measures.

Article 12 of Regulation (EC) 255/2010 (ATFM Regulation)

1. When implementing Article 11, Member States shall ensure that the central unit for ATFM produces annual reports indicating the quality of the ATFM that shall include details of:

(a) causes of ATFM measures;

(b) impact of ATFM measures;

(c) adherence to ATFM measures;

(d) contributions by parties referred to in Article 1(3) to the optimisation of the overall network effect.

Annex II, Part C, Article 7 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall produce annual reports and submit them to the Commission. The reports shall indicate the quality of the ATFM function and shall include details of:

- (a) causes of ATFM measures;
- (b) impact of ATFM measures;
- (c) adherence to ATFM measures;
- (d) contributions by all operational stakeholders to the optimisation of the overall network effect;
- (e) recommendations on these various points to improve the network performance..

COM-05- The Network Manager SHALL produce yearly reports providing an assessment of ATFCM performance to the level of detail suitable for all parties to identify where improvements to and nature of ATFCM measures are required.

3.5.4.**Article 11 of Regulation (EC) 255/2010 (ATFM Regulation)**

1. Member States shall ensure that where adherence to ATFM departure slots at an airport of departure is 80 % or less during a year, the ATS unit at that airport shall provide relevant information of non-compliance and the actions taken to ensure adherence to ATFM departure slots. Such actions shall be indicated in a report to be submitted by the Member State concerned to the Commission.

Annex II, Part C, Article 2 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

Member States shall ensure that where adherence to ATFM departure slots at an airport of departure is 80 % or less during a year, as identified by the Network Manager, the ATS unit at that airport shall provide relevant information on the non-compliance and the actions taken to ensure adherence to ATFM departure slots. Such actions shall be indicated in a report to be submitted by the Member State concerned to the Commission.

COM-06- Member States SHALL ensure that appropriate procedures are in place to monitor the adherence to ATFCM departure slots at airports in their area of responsibility.

COM-07- Member States SHALL ensure that ATC units at airports in their area of responsibility, are notified by the Network Manager on the non-compliance to ATFM departure slots and take appropriate actions to ensure adherence.

COM-07-01- Member States SHALL ensure that ATS units at airports in their area of responsibility so notified above provide the Network Manager with relevant information of the non-compliance.

COM-08- Measures for improvement of adherence SHALL be prepared by local ATS units in the event of failure to reach adherence targets and these SHALL be collated by the national aviation authority and submitted to the European Commission.

3.5.5.**Article 9 of Regulation (EC) 255/2010 (ATFM Regulation)**

2. Before flight, operators shall provide airports of departure and arrival with the necessary information to enable a correlation to be made between the flight designator contained in the flight plan and that notified for the corresponding airport slot.

Annex II, Part B, Article 14.(b) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

With respect to consistency between flight plans and airport slots:

(b) before flight, aircraft operators shall provide aerodromes of departure and arrival with the necessary information to enable a correlation to be made between the flight designator contained in the flight plan and that notified for the corresponding airport slot; this correlation shall be provided by the Network manager, the local ATFM unit, the local ATS unit or the airport operator as appropriate;

COM-09- AOs SHALL provide the necessary information allowing the establishment of the correlation between the flight designator contained in the flight plan and that notified for the corresponding airport slot.

3.5.6.**Article 9 of Regulation (EC) 255/2010 (ATFM Regulation)**

3. Any operator, airport managing body and ATS unit shall be entitled to report to the airport slot coordinator on repeated operation of air services at times that are significantly different from the allocated airport slots or with the use of slots in a significantly different way from that indicated at the time of allocation, where this causes prejudice to airport or air traffic operations.

Annex II, Part B, Article 14.(c) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

With respect to consistency between flight plans and airport slots:

(c) any aircraft operator, airport operator and ATS unit shall report to the airport slot coordinator on repeated operation of air services at times that are significantly different from the allocated airport slots or with the use of slots in a significantly different way from that indicated at the time of allocation, where this causes prejudice to airport or air traffic operations;

COM-10- AOs, ATS units, airport managing bodies and airport slot coordinators SHALL ensure that appropriate procedures are in place to facilitate the reporting on incidents of repeated operation of air services at times that are significantly different from the allocated airport slots or with the use of slots in a significantly different way from that indicated at the time of allocation, where this causes prejudice to airport, air traffic operations or the airport slot coordinator.

3.5.7.**Article 9 of Regulation (EC) 255/2010 (ATFM Regulation)**

4. Member States shall ensure that the central unit for ATFM reports to the airport slot coordinators on repeated operation of air services at significantly different times from the allocated airport slots or with the use of slots in a significantly different way from that indicated at the time of allocation, where this causes prejudice to ATFM.

Annex II, Part B, Article 14.(d) of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

With respect to consistency between flight plans and airport slots:

(d) the Network Manager shall report to the airport slot coordinators on repeated operation of air services at significantly different times from the allocated airport slots or with the use of slots in a significantly different way from that indicated at the time of allocation, where this causes prejudice to ATFM.

COM-11- The Network Manager SHALL ensure that appropriate procedures are in place to identify repeated operation of air services at significantly different times from the allocated airport slots or with the use of slots in a significantly different way from that indicated at the time of allocation.

COM-11-01- The Network Manager SHALL ensure that appropriate procedures are in place to facilitate the reporting of such incidents to the relevant airport slot coordinator.

3.5.8.

Article 15 of Regulation (EC) 255/2010 (ATFM Regulation)

Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Member States shall notify those provisions to the Commission by 26 September 2011 at the latest and shall notify it without delay of any subsequent amendment affecting them.

No reference in Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

COM-12- Member States SHALL ensure that all parties subject to the penalties under Article 15 of Regulation (EC) 255/2010 (ATFM Regulation) are made aware of these provisions

3.6. ARCHIVE REQUIREMENTS – [-ARC-]

3.6.1.

Article 12 of Regulation (EC) 255/2010 (ATFM Regulation)

2. Member States shall ensure that an archive of ATFM data listed in Article 6(5), flight plans, operational logs and relevant contextual data is created and maintained by the central unit for ATFM.

The data referred to in the first subparagraph shall be retained for 2 years from their submission and made available to the Commission, Member States, ATS units and operators.

That data shall be made available to airport coordinators and airport operators to assist their regular assessment of the declared capacity.

Annex II, Part C, Article 8 of Regulation (EU) 2019/123 (Network Functions Implementing Regulation)

The Network Manager shall ensure that an archive of ATFM data listed in this Annex, flight plans, operational logs and relevant contextual data is created and maintained. That data shall be retained for two years from their submission and made available to the Commission, Member States, ATS units and aircraft operators, as required. That data shall be also made available to airport slot coordinators and airport operators to assist them in their regular assessment of the declared capacity.

ARC-01- The Network Manager SHALL maintain an archive of all relevant ATFCM data, to be stored for 2 years after submission and made available, in an accessible format, to interested parties.

ARC-01-01- The archive SHALL provide the following main functions:

- a) Acceptance of data to be archived from ENV, TACT, IFPS and RPL.
- b) Production of statistics.
- c) Consultation of the data.
- d) Preparation of the Pre-Tactical model.
- e) Study of the Pre-Tactical model.
- f) Preparation of measures.
- g) System administration.
- h) Performance monitoring and measurement via aggregate statistical reports and relevant KPIs.

3.7. ATFCM PERSONNEL REQUIREMENTS – [-PERS-]

3.7.1.

Article 14 of Regulation (EC) 255/2010 (ATFM Regulation)

1. Member States shall ensure that personnel of the parties referred to in Article 1(3) involved in ATFM activities are:

- (a) Made duly aware of the provisions of this Regulation;
- (b) Adequately trained and competent for their job functions.

Article 14 of Regulation (EC) 255/2010 (ATFM Regulation)

2. Member States shall take the necessary measures to ensure that parties referred to in Article 1(3) with responsibilities for ATFM functions:

- (a) Develop and maintain operations manuals containing the necessary instructions and information to enable their operations personnel to apply the provisions of this Regulation;
- (b) Ensure that these manuals are consistent, accessible and kept up-to-date and that their update and distribution are subject to appropriate quality and documentation configuration management;
- (c) Ensure that the working methods and operating procedures comply with this Regulation.

No reference in Regulation (EU) 2019/123 (Network Functions Implementing Regulation). Refer to IR (EU) 2017/373 (Air Traffic Management Common Requirements Implementing Regulation)

