



Plenary sitting

A8-0061/2019

4.2.2019

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council on certain aspects of aviation safety with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union (COM(2018)0894 – C8-0514/2018 – 2018/0434(COD))

Committee on Transport and Tourism

Rapporteur: Kosma Złotowski

(Simplified procedure – Rule 50(2) of the Rules of Procedure)

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on certain aspects of aviation safety with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union (COM(2018)0894 – C8-0514/2018 – 2018/0434(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0894),
 - having regard to Article 294(2) and Article 100(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0514/2018),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of ...¹,
 - having regard to opinion of the Committee of Regions of ...²,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism (A8-0061/2019),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation Article 1 – paragraph 3

Text proposed by the Commission

Amendment

3. In addition to the certificates listed in paragraph 2, this Regulation shall apply

3. In addition to the certificates listed in paragraph 2, this Regulation shall apply

¹ [OJ C 0, 0.0.0000, p. 0 / Not yet published in the Official Journal]

² [OJ C 0, 0.0.0000, p. 0 / Not yet published in the Official Journal]

to the *theoretical* training modules referred to in Article 5.

to the training modules referred to in Article 5.

Amendment 2

Proposal for a regulation Article 4 – paragraph 1

Text proposed by the Commission

The certificates referred to in Article 1(2)(b), concerning the use of products, parts and appliances shall remain valid, ***in order to allow for their continued use in or as aircraft.***

Amendment

The certificates referred to in Article 1(2)(b), concerning the use of products, parts and appliances shall remain valid.

Amendment 3

Proposal for a regulation Article 5 – title

Text proposed by the Commission

Carryover of *theoretical* training modules

Amendment

Carryover of training modules

Amendment 4

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

By way of derogation from Commission Regulation (EU) No 1178/2011¹ and Commission Regulation (EU) No 1321/2014², the competent authorities of the Member States or the Agency, as the case may be, shall take account of the examinations taken in training organisations subject to oversight by the competent authority of the United Kingdom prior to the date of application referred to in the second sub-paragraph of Article 10(2) of this Regulation, as if they had been taken with a training organisation subject to the oversight of the competent

Amendment

By way of derogation from Commission Regulation (EU) No 1178/2011¹ and Commission Regulation (EU) No 1321/2014², the competent authorities of the Member States or the Agency, as the case may be, shall take account of the examinations taken in training organisations subject to oversight by the competent authority of the United Kingdom ***but which have not yet led to the issuance of the license*** prior to the date of application referred to in the second sub-paragraph of Article 10(2) of this Regulation, as if they had been taken with

authority of a Member State.

a training organisation subject to the oversight of the competent authority of a Member State.

¹ Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council. OJ L 311, 25.11.2011, p. 1.

² Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks. OJ L 362, 17.12.2014, p. 1.

¹ Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council. OJ L 311, 25.11.2011, p. 1.

² Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks. OJ L 362, 17.12.2014, p. 1.

Amendment 5

Proposal for a regulation Article 6 – paragraph 2

Text proposed by the Commission

2. At the request of the Agency, the holders of the certificates referred to in **Articles 3 and 4**, shall deliver copies of all audit reports, findings and corrective action plans relevant to the certificate, which have been issued during the three years previous to the request. Where such documents have not been delivered within the time limits stipulated by the Agency in its request, the Agency may withdraw the benefit acquired pursuant to Articles 3 or 4, as the case may be.

Amendment

2. At the request of the Agency, the holders of the certificates referred to in **Article 3 and *the issuers of certificates referred to in Article 4***, shall deliver copies of all audit reports, findings and corrective action plans relevant to the certificate, which have been issued during the three years previous to the request. Where such documents have not been delivered within the time limits stipulated by the Agency in its request, the Agency may withdraw the benefit acquired pursuant to Articles 3 or 4, as the case may be.

Amendment 6

Proposal for a regulation

Article 6 – paragraph 3

Text proposed by the Commission

3. Holders of certificates referred to in **Articles** 3 or 4 of this Regulation shall inform without delay the Agency of any actions by the authorities of the United Kingdom, which may conflict with their obligations under this Regulation or Regulation (EU) 2018/1139.

Amendment

3. Holders of certificates referred to in **Article 3** or **the issuers of certificates referred to in Article 4** of this Regulation shall inform without delay the Agency of any actions by the authorities of the United Kingdom, which may conflict with their obligations under this Regulation or Regulation (EU) 2018/1139.

Amendment 7

Proposal for a regulation

Article 7 – paragraph 1

Text proposed by the Commission

For the purposes of this Regulation and for oversight of the holders of certificates referred to in Article 1(2) of this Regulation, the Agency shall act as the competent authority provided for third country entities under Regulation (EU) 2018/1139 and the implementing and delegated acts adopted by virtue of it, or under Regulation (EC) No 216/2008.

Amendment

For the purposes of this Regulation and for oversight of the holders **or issuers** of certificates referred to in Article 1(2) of this Regulation, the Agency shall act as the competent authority provided for third country entities under Regulation (EU) 2018/1139 and the implementing and delegated acts adopted by virtue of it, or under Regulation (EC) No 216/2008.

Amendment 8

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

Commission Regulation (EU) No 319/2014¹ on the fees and charges levied by the European Aviation Safety Agency shall apply to legal and natural persons holding certificates referred to in Article 1(2) of this Regulation under the same conditions as to holders of corresponding

Amendment

Commission Regulation (EU) No 319/2014¹ on the fees and charges levied by the European Aviation Safety Agency shall apply to legal and natural persons holding **or issuing** certificates referred to in Article 1(2) of this Regulation under the same conditions as to holders of

certificates issued to third country legal or natural persons.

corresponding certificates issued to third country legal or natural persons.

¹ Commission Regulation (EU) No 319/2014 of 27 March 2014 on the fees and charges levied by the European Aviation Safety Agency, and repealing Regulation (EC) No 593/2007. OJ L95, 28.3.2014, p.58.

¹ Commission Regulation (EU) No 319/2014 of 27 March 2014 on the fees and charges levied by the European Aviation Safety Agency, and repealing Regulation (EC) No 593/2007. OJ L95, 28.3.2014, p.58.

Amendment 9

Proposal for a regulation Annex – Section 2 – point 2.6 a (new)

Text proposed by the Commission

Amendment

2.6 a Regulation (EU) No 1321/2014, Part-M, Subpart H, Points M.A.801 (b) 2, 3 and (c) (Certificates of release to service in respect of completion of maintenance).

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Aviation safety with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union
References	COM(2018)0894 – C8-0514/2018 – 2018/0434(COD)
Date submitted to Parliament	20.12.2018
Committee responsible Date announced in plenary	TRAN 14.1.2019
Rapporteurs Date appointed	Kosma Złotowski 10.1.2019
Simplified procedure - date of decision	10.1.2019
Discussed in committee	22.1.2019
Date adopted	22.1.2019
Date tabled	4.2.2019