

Common Requirement	#	Provided document or other relevant supporting evidence	Motivation (when applicable, please refer to AMC)
<b>ANNEX I</b>			
<b>GENERAL REQUIREMENTS FOR THE PROVISION OF AIR NAVIGATION SERVICES</b>			
<b>1. TECHNICAL AND OPERATIONAL COMPETENCE AND CAPABILITY</b>			
An air navigation service provider shall be able to provide services in a safe, efficient, continuous and sustainable manner consistent with any reasonable level of overall demand for a given airspace. To this end, it shall maintain adequate technical and operational capacity and expertise.	1.1		
<b>2. ORGANISATIONAL STRUCTURE AND MANAGEMENT</b>			
<b>2.1. Organisational structure</b>			
An air navigation service provider shall set up and manage its organisation according to a structure that supports the safe, efficient and continuous provision of services. The organisational structure shall define:	1.2		
(a) the authority, duties and responsibilities of the nominated post holders, in particular of the management personnel in charge of safety, quality, security, finance and human resources related functions;	1.3		
(b) the relationship and reporting lines between different parts and processes of the organisation.	1.4		
<b>2.2. Organisational management</b>			
An air navigation service provider shall produce a business plan covering a minimum period of five years. The business plan shall:	1.5		
(a) set out the overall aims and goals of the provider and its strategy towards achieving them in consistency with any overall longer term plan of the provider and with relevant Community requirements relevant for the development of infrastructure or other technology;	1.6		
(b) contain appropriate performance objectives in terms of quality and level of service, safety and cost-effectiveness.	1.7		
An air navigation service provider shall produce an annual plan covering the forthcoming year which shall specify further the features of the business plan and describe any changes to it.	1.8		
The annual plan shall cover the following provisions on the level and quality of service such as the expected level of capacity, safety and delays to flights incurred as well as on financial arrangements:	1.9		

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a) information on the implementation of new infrastructure or other developments and a statement how they will contribute to improving the level and quality of services;	1.10		
(b) indicators of performance against which the level and quality of service may be reasonably assessed;	1.11		
(c) the service provider's expected short-term financial position as well as any changes to or impacts on the business plan.	1.12		
<b>3. SAFETY AND QUALITY MANAGEMENT</b>			
<b>3.1. Safety management</b>			
An air navigation service provider shall manage the safety of all its services. In doing so, it shall establish formal interfaces with all stakeholders which may influence directly the safety of its services.	1.13		
<b>3.2. Quality management system</b>			
An air navigation service provider shall have in place at the latest [2 years after entry into force of this regulation] a quality management system which covers all air navigation services it provides according to the following principles. It shall:	1.14		
(a) define the quality policy in the perspective to meet the needs by the different users as closely as possible;	1.15		
(b) set up a quality assurance programme that contains procedures designed to verify that all operations are being conducted in accordance with applicable requirements, standards and procedures;	1.16		
(c) provide evidence of the functioning of the quality system by means of manuals and monitoring documents;	1.17		
(d) appoint management representatives to monitor compliance with, and adequacy of, procedures to ensure safe and efficient operational practices;	1.18		
(e) perform reviews of the quality system in place and take remedial actions, as appropriate.	1.19		
An EN ISO 9001 certificate, issued by an appropriately accredited organisation, covering the air navigation services of the provider shall be considered as a sufficient means of compliance. The air navigation service provider shall accept the disclosure of the documentation related to the certification to the national supervisory authority upon the latter's request.	1.20		

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<b>3.3. Operations manuals</b>			
An air navigation service provider shall provide and keep up-to-date operations manuals relating to the provision of its services for the use and guidance of operations personnel. It shall ensure that:	1.21		
(a) operations manuals contain instructions and information required by the operations personnel to perform their duties;	1.22		
(b) relevant parts of the operations manuals are accessible to the personnel concerned;	1.23		
(c) the operations personnel are expeditiously informed of the amendments to the operations manual applying to their duties as well as of their entry into force.	1.24		
<b>4. SECURITY</b>			
An air navigation service provider shall establish a security management system to ensure:	1.25		
(a) the security of its facilities and personnel so as to prevent unlawful interference with the provision of services;	1.26		
(b) the security of operational data it receives or produces or otherwise employs, so that access to it is restricted only to those authorised.	1.27		
The security management system shall define:	1.28		
(a) the procedures relating to security risk assessment and mitigation, security monitoring and improvement, security reviews and lesson dissemination;	1.29		
(b) the means designed to detect security breaches and to alert personnel with appropriate security warnings;	1.30		
(c) the means of containing the effects of security breaches and to identify recovery action and mitigation procedures to prevent re-occurrence.	1.31		
An air navigation service provider shall ensure the security clearance of its personnel, if appropriate, and coordinate with the relevant civil and military authorities to ensure the security of its facilities, personnel and data.	1.32		

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<b>5. HUMAN RESOURCES</b>			
An air navigation service provider shall employ appropriately skilled personnel to ensure the provision of its services in a safe, efficient, continuous and sustainable manner. In this context, it shall establish policies for the recruitment and training of personnel.	1.33		
<b>6. FINANCIAL STRENGTH</b>			
<b>6.1. Economic and financial capacity</b>			
An air navigation service provider shall be able to meet its financial obligations, such as fixed and variable costs of operation or capital investment costs. It shall use an appropriate cost accounting system. It shall demonstrate its ability through the annual plan as referred to in part 2.2. of this annex as well as through balance sheets and accounts as practicable under its legal statute.	1.34		
<b>6.2. Financial audit</b>			
In accordance with article 12(2) of regulation (EC) No 550/2004, an air navigation service provider shall demonstrate that it is undergoing an independent audit on a regular basis.	1.35		
<b>7. LIABILITY AND INSURANCE COVER</b>			
An air navigation service provider shall have in place arrangements to cover its liabilities arising from applicable law.	1.36		
The method employed to provide the cover shall be appropriate to the potential loss and damage in question, taking into account the legal status of the service provider and the level of commercial insurance cover available.	1.37		
An air navigation service provider which avails itself of services of another air navigation service provider shall ensure that the agreements cover the allocation of liability between them.	1.38		

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<b>8. QUALITY OF SERVICES</b>			
<b>8.1. Open and transparent provision of services</b>			
An air navigation service provider shall provide its services in an open and transparent manner. It shall publish the conditions of access to its services and establish a formal consultation process with the users of its services on a regular basis, either individually or collectively, and at least once a year.	1.39		
An air navigation service provider shall not discriminate on grounds of nationality or identity of the user or the class of users in accordance with applicable Community law.	1.40		
<b>8.2. Contingency plans</b>			
At the latest one year after certification, an air navigation service provider shall have in place contingency plans for all the services it is providing in the case of events which result in significant degradation or interruption of its services.	1.41		
<b>9. REPORTING REQUIREMENTS</b>			
An air navigation service provider shall be able to provide an annual report of its activities to the relevant national supervisory authority. This report shall cover its financial results without prejudice to article 12 of the service provision regulation, as well as its operational performance and any other significant activities and developments in particular in the area of safety.	1.42		
The annual report shall include as a minimum:	1.43		
– an assessment of the level and quality of service generated and of the level of safety provided;	1.44		
– the performance of the service provider compared to the performance objectives established in the business plan, reconciling actual performance against the annual plan by using the indicators of performance established in the annual plan;	1.45		
– developments in operations and infrastructure;	1.46		
– the financial results, as long as they are not separately published in accordance with article 12(1) of the service provision regulation;	1.47		
– information about the formal consultation process with the users of its services;	1.48		
– information about the human resources policy.	1.49		

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The air navigation service provider shall make the content of the annual report available to the public under conditions set by the national supervisory authority in accordance with national law.	1.50		

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<b>ANNEX II</b>			
<b>SPECIFIC REQUIREMENTS FOR THE PROVISION OF AIR TRAFFIC SERVICES</b>			
<b>1. OWNERSHIP</b>			
A provider of air traffic services shall make explicit to the national supervisory authority referred to in Art. 7(2) of Regulation (EC) No 550/2004:	2.1		
– its legal status, its ownership structure and any arrangements having a significant impact on the control over its assets.	2.2		
– any links with organisations not involved in the provision of air navigation services, including commercial activities in which it is engaged either directly or through related undertakings, which account for more than 1 % of its expected revenue. Furthermore, it shall notify any change of any single shareholding which represents 10 % or more of its total shareholding.	2.3		
A provider of air traffic services shall take all necessary measures to prevent any situation of conflict of interests that could compromise the impartial and objective provision of its services.	2.4		
<b>Annex II, 2. OPEN AND TRANSPARENT PROVISION OF SERVICES</b>			
In addition to the provision of Annex I, part 8.1 and where a Member State decides to organise the provision of specific ATS services in a competitive environment, a Member State may take all appropriate measures to ensure that providers of these specific air traffic services shall neither engage in conduct that would have as its object or effect the prevention, restriction or distortion of competition, nor shall they engage in conduct that amounts to an abuse of a dominant position in accordance with applicable national and Community law.	2.5	Not Applicable	Not Applicable
<b>3. SAFETY OF SERVICES</b>			
<b>3.1. Safety management system</b>			
<b>3.1.1. General safety requirements</b>			
A provider of air traffic services shall, as an integral part of the management of its services, have in place a safety management system ('SMS') which:	2.6		

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ensures a formalised, explicit and pro-active approach to systematic safety management in meeting its safety responsibilities within the provision of its services; operates in respect of all its services and the supporting arrangements under its managerial control; and includes, as its foundation, a statement of safety policy defining the organisation's fundamental approach to managing safety (safety management);	2.7		
ensures that everyone involved in the safety aspects of the provision of air traffic services has an individual safety responsibility for their own actions, that managers are responsible for the safety performance of their respective departments or divisions and that the top management of the provider carries an overall safety responsibility (safety responsibility);	2.8		
ensures that the achievement of satisfactory safety in air traffic services shall be afforded the highest priority (safety priority);	2.9		
ensures that while providing air traffic services, the principal safety objective is to minimise its contribution to the risk of an aircraft accident as far as reasonably practicable (safety objective).	2.10		
<b>3.1.2. Requirements for safety achievement</b>			
Within the operation of the SMS, a provider of air traffic services shall:	2.11		
ensure that personnel are adequately trained and competent for the job they are required to do, in addition to being properly licensed if so required and satisfying applicable medical fitness requirements (competency);	2.12		
ensure that a safety management function is identified with organisational responsibility for development and maintenance of the safety management system; ensure that this point of responsibility is independent of line management, and accountable directly to the highest organisational level. However, in the case of small organisations where combination of responsibilities may prevent sufficient independence in this regard, the arrangements for safety assurance shall be supplemented by additional independent means; and ensure that the top management of the service provider organisation is actively involved in ensuring safety management (safety management responsibility);	2.13		
ensure that, wherever practicable, quantitative safety levels are derived and are maintained for all functional systems (quantitative safety levels);	2.14		



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ensure that the SMS is systematically documented in a manner, which provides a clear linkage to the organisation's safety policy (SMS documentation);	2.15		
ensure adequate justification of the safety of the externally provided services and supplies, having regard to their safety significance within the provision of its services (external services and supplies);	2.16		
ensure that risk assessment and mitigation is conducted to an appropriate level to ensure that due consideration is given to all aspects of the provision of ATM (risk assessment and mitigation). As far as changes to the ATM functional system are concerned, the provisions of part 3.2 of this Annex shall apply.	2.17		
ensure that ATM operational or technical occurrences which are considered to have significant safety implications are investigated immediately, and any necessary corrective action is taken (safety occurrences). It shall also demonstrate that it has implemented the requirements on the reporting and assessment of safety occurrences in accordance with applicable national and Community law.	2.18		
<b>3.1.3. Requirements for safety assurance</b>			
Within the operation of the SMS, a provider of air traffic services shall ensure that:	2.19		
- safety surveys are carried out as a matter of routine, to recommend improvements where needed, to provide assurance to managers of the safety of activities within their areas and to confirm compliance with the relevant parts of the SMS (safety surveys);	2.20		
- methods are in place to detect changes in functional systems or operations which may suggest any element is approaching a point at which acceptable standards of safety can no longer be met, and that corrective action is taken (safety monitoring);	2.21		
- safety records are maintained throughout the SMS operation as a basis for providing safety assurance to all associated with, responsible for or dependent upon the services provided, and to the national supervisory authority (safety records).	2.22		
<b>3.1.4. Requirements for safety promotion</b>			
Within the operation of the SMS, a provider of air traffic services shall ensure that:	2.23		

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- all personnel are aware of the potential safety hazards connected with their duties (safety awareness);	2.24		
- the lessons arising from safety occurrence investigations and other safety activities are disseminated within the organisation at management and operational levels (lesson dissemination);	2.25		
- all personnel are actively encouraged to propose solutions to identified hazards, and changes are made to improve safety where they appear needed (safety improvement).	2.26		
<b>3.2. Safety Requirements for Risk Assessment and Mitigation with regard to changes</b>			
<b>3.2.1. Section 1</b>			
Within the operation of the SMS, a provider of air traffic services shall ensure that hazard identification as well as risk assessment and mitigation are systematically conducted for any changes to those parts of the ATM functional system and supporting arrangements within his managerial control, in a manner which addresses:	2.27		
(a) the complete life-cycle of the constituent part of the ATM functional system under consideration, from initial planning and definition to post-implementation operations, maintenance and de-commissioning;	2.28		
(b) the airborne, ground and, if appropriate, spatial components of the ATM functional system, through co-operation with responsible parties; and	2.29		
(c) the equipment, procedures and human resources of the ATM functional system, the interactions between these elements and the interactions between the constituent part under consideration and the remainder of the ATM functional System.	2.30		
<b>3.2.2. Section 2</b>			
The hazard identification, risk assessment and mitigation processes shall include:	2.31		
(a) A determination of the scope, boundaries and interfaces of the constituent part being considered, as well as the identification of the functions that the constituent part is to perform and the environment of operations in which it is intended to operate;	2.32		
(b) A determination of the safety objectives to be placed on the constituent part, incorporating:	2.33		

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(i) – An identification of ATM-related credible hazards and failure conditions, together with their combined effects,	2.34		
(ii) – An assessment of the effects they may have on the safety of aircraft, as well as an assessment of the severity of those effects, using the severity classification scheme provided in Section 4;	2.35		
(iii) – A determination of their tolerability, in terms of the hazard’s maximum probability of occurrence, derived from the severity and the maximum probability of the hazard’s effects, in a manner consistent with Section 4;	2.36		
(c) The derivation, as appropriate, of a risk mitigation strategy which:	2.37		
(i) – Specifies the defences to be implemented to protect against the risk-bearing hazards,	2.38		
(ii) – Includes, as necessary, the development of safety requirements potentially bearing on the constituent part under consideration, or other parts of the ATM functional system, or environment of operations, and	2.39		
(iii) – Presents an assurance of its feasibility and effectiveness;	2.40		
(d) Verification that all identified safety objectives and safety requirements have been met	2.41		
(i) – Prior to its implementation of the change,	2.42		
(ii) – During any transition phase into operational service,	2.43		
(iii) – During its operational life, and	2.44		
(iv) – During any transition phase till decommissioning.	2.45		
<b>3.2.3. Section 3</b>			
The results, associated rationales and evidence of the risk assessment and mitigation processes, including hazard identification, shall be collated and documented in a manner which ensures that:	2.46		
– complete arguments are established to demonstrate that the constituent part under consideration, as well as the overall ATM functional system are, and will remain tolerably safe by meeting allocated safety objectives and requirements. This shall include, as appropriate, specifications of any predictive, monitoring or survey techniques being used;	2.47		
– all safety requirements related to the implementation of a change are traceable to the intended operations/functions.	2.48		

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<b>3.2.4. Section 4</b>			
<b>Hazard identification and severity assessment</b>			
A systematic identification of the hazards shall be conducted. The severity of the effects of hazards in a given environment of operations shall be determined using the classification scheme shown in the following table, while the severity classification shall rely on a specific argument demonstrating the most probable effect of hazards, under the worst case scenario.	2.49		
<i>[intentionally left blank - "chart severity class"]</i>			
In order to deduce the effect of a hazard on operations and to determine its severity, the systematic approach/process shall include the effects of hazards on the various elements of the ATM functional system, such as the air crew, the air traffic controllers, the aircraft functional capabilities, the functional capabilities of the ground part of the ATM functional system, and the ability to provide safe air traffic services.	2.50		
<b>Risk classification scheme</b>			
Safety objectives based on risk shall be established in terms of the hazards maximum probability of occurrence, derived both from the severity of its effect, and from the maximum probability of the hazard's effect.	2.51		
As a necessary complement to the demonstration that established quantitative objectives are met, additional safety management considerations shall be applied so that more safety is added to the ATM system whenever reasonable.	2.52		
<b>3.3 Safety requirements for engineering and technical personnel undertaking operational safety related tasks</b>			
A provider of air traffic services shall ensure that technical and engineering personnel including personnel of subcontracted operating organisations who operate and maintain ATM equipment approved for its operational use have and maintain sufficient knowledge and understanding of the services they are supporting, of the actual and potential effects of their work on the safety of those services, and of the appropriate working limits to be applied.	2.53		

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With regard to the personnel involved in safety related tasks including personnel of subcontracted operating organisations, the provider of air traffic services shall document the adequacy of the competence of the personnel; the rostering arrangements in place to ensure sufficient capacity and continuity of service; the personnel qualification schemes and policy, the personnel training policy, training plans and records as well as arrangements for the supervision of non-qualified personnel. It shall have procedures in place for cases where the physical or mental condition of the personnel is in doubt.	2.54		
A provider of air traffic services shall maintain a register of information on the numbers, status and deployment of the personnel involved in safety related tasks. The register shall:	2.55		
(a) identify the accountable managers for safety related functions;	2.56		
(b) record the relevant qualifications of technical and operational personnel, against required skills and competence requirements;	2.57		
(c) specify the locations and duties to which technical and operational personnel are assigned, including any rostering methodology.	2.58		
<b>4. WORKING METHODS AND OPERATING PROCEDURES</b>			
A provider of air traffic services shall be able to demonstrate that its working methods and operating procedures are compliant with the standards in the following annexes to the Convention on International Civil Aviation as far as they are relevant for the provision of air traffic services in the airspace concerned:	2.59		
– Annex 2 on rules of the air (9th edition, July 1990 including all amendments up to no 37);	2.60		
– Annex 10 on aeronautical telecommunications, Volume 2 on communication procedures (6th edition, October 2001 including all amendments up to no 79) ;	2.61		
– Annex 11 on air traffic services (13th edition, July 2001 including all amendments up to no 42).	2.62		

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<b>ANNEX III</b>			
<b>SPECIFIC REQUIREMENTS FOR THE PROVISION OF METEOROLOGICAL SERVICES</b>			
<b>1. TECHNICAL AND OPERATIONAL COMPETENCE AND CAPABILITY</b>			
A provider of meteorological services shall ensure that meteorological information, necessary for the performance of their respective functions and in a form suitable for users, is made available to:	3.1		
– operators and flight crew members for pre-flight and in-flight planning;	3.2		
– providers of air traffic services and flight information services;	3.3		
– search and rescue services units, and	3.4		
– airports.	3.5		
A provider of meteorological services shall confirm the level of attainable accuracy of the information distributed for operations, including the source of such information, whilst also ensuring that such information is distributed in a sufficiently timely manner, and updated as required.	3.6		
<b>2. WORKING METHODS AND OPERATING PROCEDURES</b>			
A provider of meteorological services shall be able to demonstrate that its working methods and operating procedures are compliant with the standards in the following annexes to the Convention on International Civil Aviation as far as they are relevant for the provision of meteorological services in the airspace concerned:	3.7		
– Annex 3 on meteorological service for international air navigation (15th edition, July 2004);	3.8		
– Annex 11 on air traffic services (13th edition, July 2001, including all amendments up to no 42);	3.9		
– Annex 14 on Aerodromes (Volume I: 4th edition, July 2004; Volume II, 2nd edition, July 1995 including all amendments up to no 3).	3.10		

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<b>ANNEX IV</b>			
<b>SPECIFIC REQUIREMENTS FOR THE PROVISION OF AERONAUTICAL INFORMATION SERVICE</b>			
<b>1. TECHNICAL AND OPERATIONAL COMPETENCE AND CAPABILITY</b>			
A provider of aeronautical information service shall ensure that information and data is available for operations in a form suitable for:	4.1		
– flight operating personnel, including flight crew, as well as flight planning, flight management systems and flight simulators, and	4.2		
– providers of air traffic services which are responsible for flight information services, aerodrome flight information services and the provision of pre-flight information.	4.3		
A provider of aeronautical information services shall ensure the integrity of data and confirm the level of accuracy of the information distributed for operations, including the source of such information, before such information is distributed.	4.4		
<b>2. WORKING METHODS AND OPERATING PROCEDURES</b>			
A provider of aeronautical information services shall be able to demonstrate that its working methods and operating procedures are compliant with the standards in the following annexes to the Convention on International Civil Aviation as far as they are relevant for the provision of aeronautical information services in the airspace concerned:	4.5		
– Annex 3 on meteorological service for international air navigation (15th edition, July 2004);	4.6		
– Annex 4 on aeronautical charts (10th edition, July 2001 including all amendments up to no 53);	4.7		
– Annex 15 on aeronautical information services (12th edition, July 2004).	4.8		

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<b>ANNEX V</b>			
<b>SPECIFIC REQUIREMENTS FOR THE PROVISION OF COMMUNICATION, NAVIGATION OR SURVEILLANCE SERVICES</b>			
<b>1. TECHNICAL AND OPERATIONAL COMPETENCE AND CAPABILITY</b>			
A provider of communication, navigation or surveillance services shall ensure the availability, continuity, accuracy and integrity of its services.	5.1		
A provider of communication, navigation or surveillance services shall confirm the quality level of the services it is providing and shall demonstrate that its equipment is regularly maintained and where required calibrated.	5.2		
<b>ANNEX V, 2. SAFETY OF SERVICES</b>			
A provider of communication, navigation or surveillance services shall comply with the requirements of Annex II, part 3 on the safety of services.	5.3		
<b>3. WORKING METHODS AND OPERATING PROCEDURES</b>			
A provider of communication, navigation or surveillance services shall be able to demonstrate that its working methods and operating procedures are compliant with the standards of Annex 10 on aeronautical telecommunications to the Convention on International Civil Aviation (Volume I: 5th edition, July 1996; Volume II: 6th edition, October 2001; Volume III: 1st edition, July 1995; Volume IV: 3rd edition, July 2002; Volume V: 2nd edition, July 2001; including all amendments up to no 79) as far as they are relevant for the provision of communication, navigation or surveillance services in the airspace concerned.	5.4		