



EASA
European Aviation Safety Agency

Opt-In provision
in the New Basic Regulation:
Opportunity for civil-military cooperation?

MAC 2018
Madrid, September 26th 2018

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TE.GEN.00409-001



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EASA New Basic Regulation

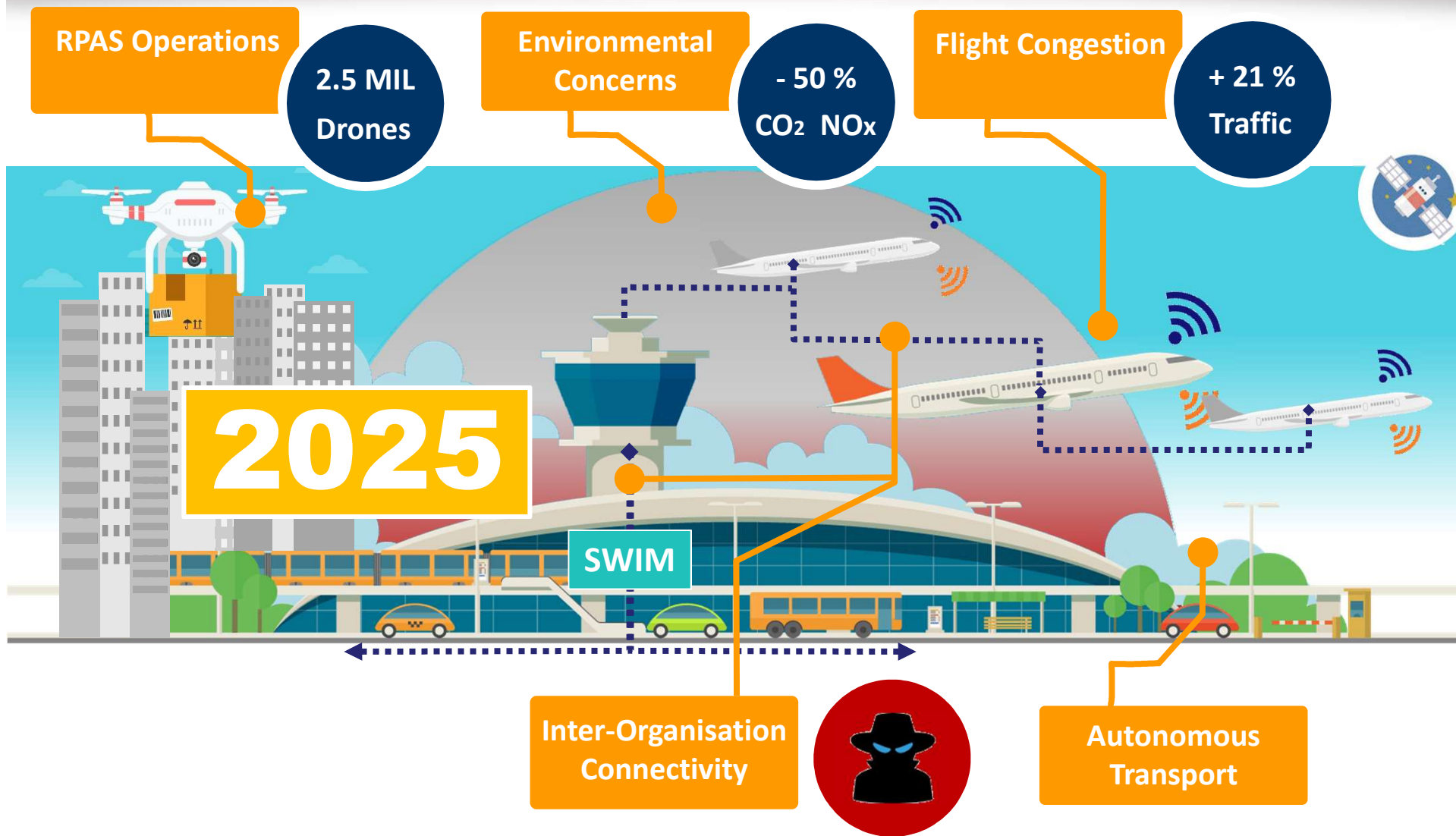
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Commercial Aviation of tomorrow





Why amend EASA Based regulation?

Flexible and performance based system



Closing gaps and inconsistencies



Making better use of EASA's resources

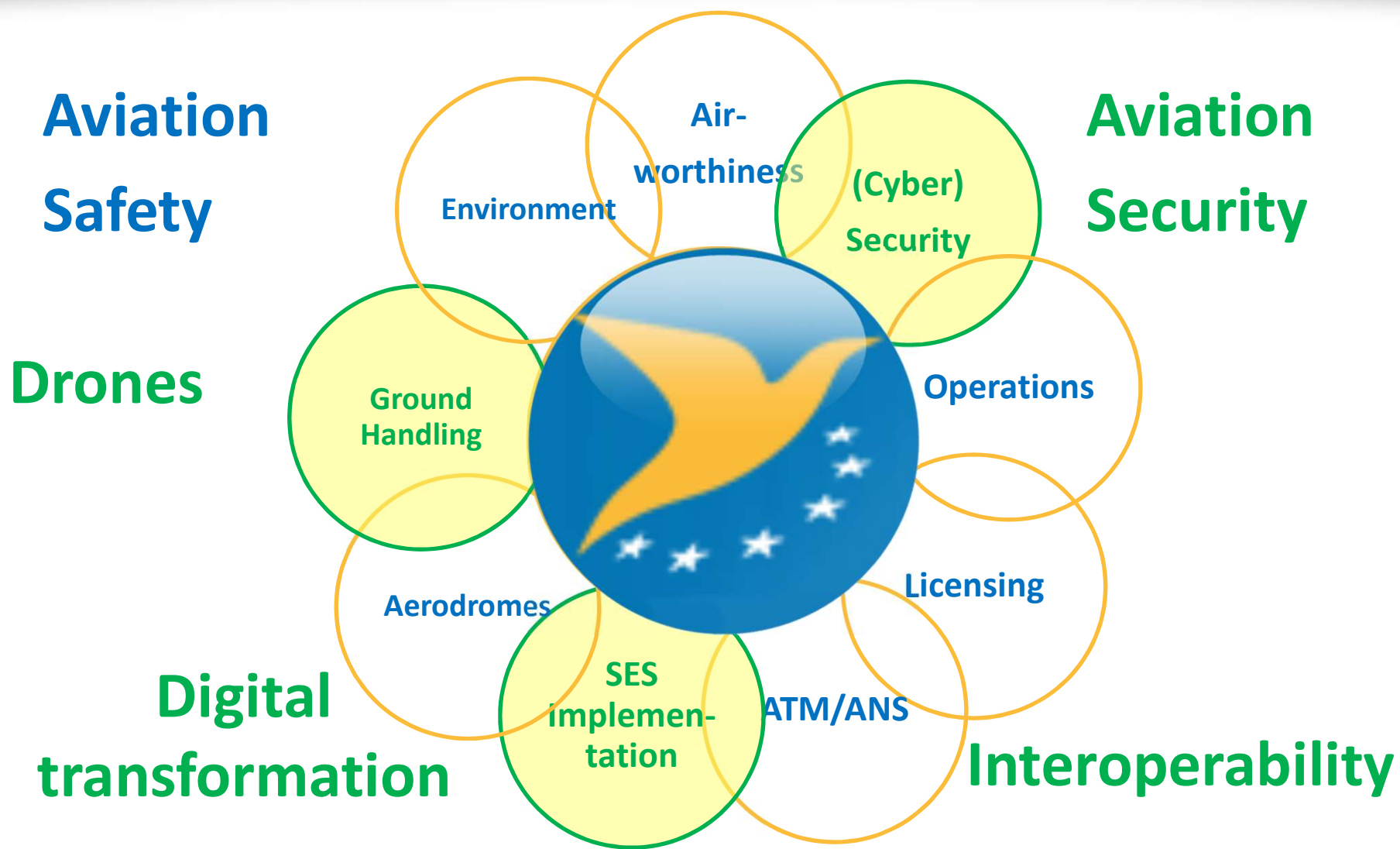


Better governance for EASA



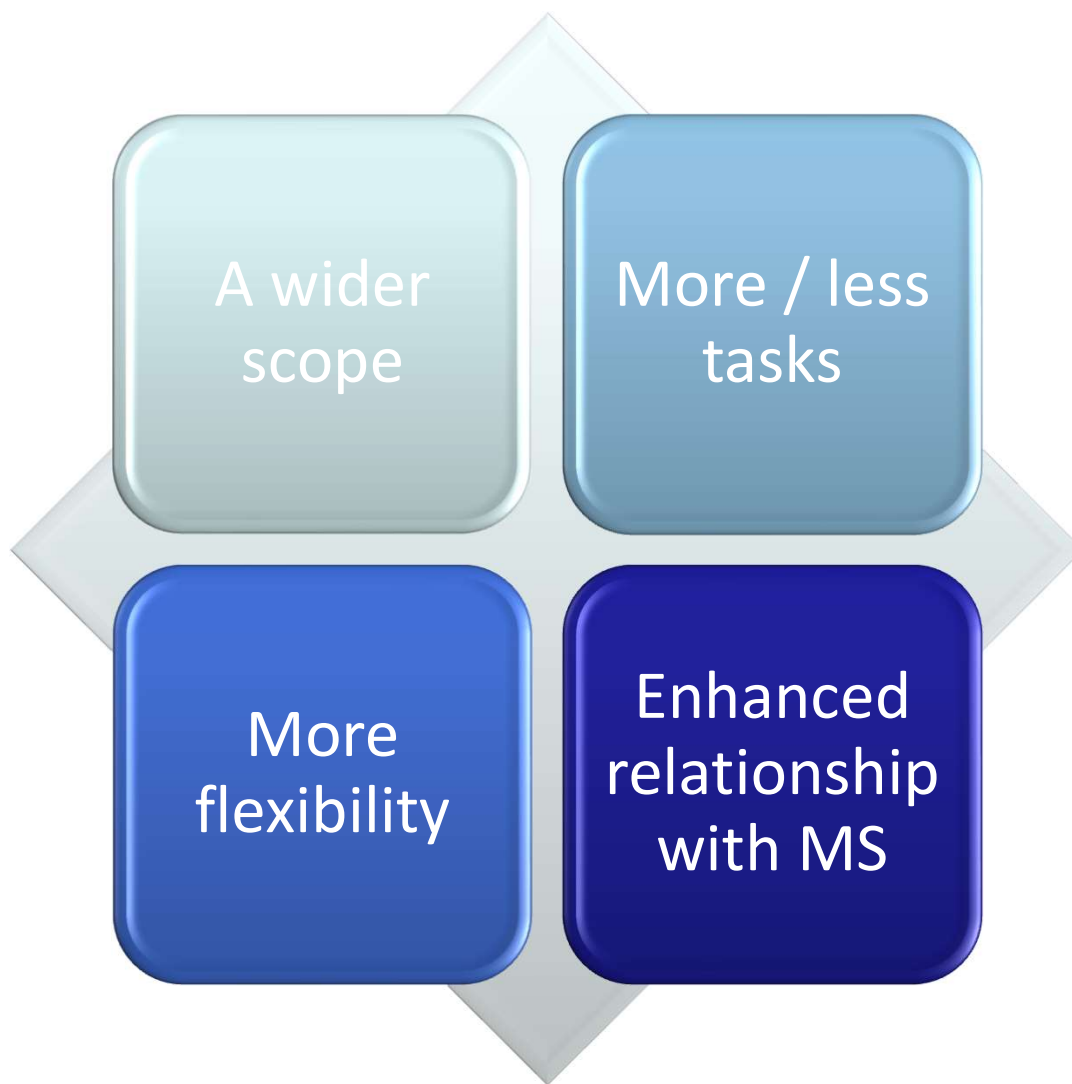


A wider scope with NBR





Main impacts for the Agency





Timeline





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“Opt-In” for Military

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Opt-in for State (and Military) Aircraft

(Ref. NBR § 6) - MS may decide to apply the provisions of any of the Sections I, II, III, or VII of Chapter III to some or all activities referred to in paragraph 3(a) and to the personnel and organisations involved in those activities, where it considers that, in light of the characteristics of the activities, personnel and organisations in question and the purpose and content of the provisions concerned, those provisions can be effectively applied.

- Chapter III: Substantive Requirements

- Sect. I – “**Airworthiness and Environmental Protection**”
- Sect. II – “**Aircrew**”
- Sect. III – “**Air Operations**”
- Sect. VII – “**Unmanned aircraft**”

- Paragraph 3(a):

Aircraft, and their **engines, propellers, parts, non-installed equipment and equipment to control aircraft remotely**, while carrying out military, customs, police, search and rescue, firefighting, border control, coastguard or similar activities or services under the control and responsibility of a Member State, undertaken in the public interest by or on behalf of a body vested with public authority powers, and the personnel and organisations involved in the activities and services performed by those aircraft



What Opt-In stands for

- Opt-In is on a voluntary basis and modular by nature
- Decision to apply and the extent to which it is applied remains belongs to Member States (MS)
- Does not need to extend to the full EASA system nor to the full range of State operations under the responsibility of the MS
- For example, a MS may decide to Opt-In for:
 - police operations, but not for search and rescue
 - a certain category/type of aircraft and not for others (e.g., Opt-In for rotorcraft, but not for fixed wing)
 - one area of the EASA system and not for others (e.g., Opt-In for the airworthiness of the aircraft but not for the operations), ...
- Main advantages:
 - benefit from mutual recognition of certificates
 - move more freely within Europe and worldwide (international recognition)
 - increase their market value



Important to highlight

- **Within an area (AW or Air Ops or Aircrew...), Opt-In has to be complete:**
 - ❖ e.g. , not possible to Opt-In for initial airworthiness but not for the continued airworthiness / maintenance of the a/c
- **Need for specific measures to address risks created by the disconnection from the total system approach:**
 - ❖ e.g., if a MS Opt-In for the airworthiness/maintenance but not for the operations, appropriate measures need to be put in place to ensure the continued airworthiness of the a/c

Due to modularity, each Opt-In case will be different from the next, and thus will require an individual approach



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Floor open for discussions & questions

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A truly European aviation system

Ready for new industry challenges



Drones

Digitalisation

Military Aviation

Security

Environment

**New international
competitors**

With a powerful international dimension

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