

## Executive Director Decision

2017/001/R

of 8 March 2017

### issuing Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) 2017/373

#### **'Common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight'**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008<sup>1</sup>, and in particular Article 38(3)(a) thereof,

Whereas:

- (1) EASA shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue certification specifications and acceptable means of compliance, as well as guidance material, for the application of Regulation (EC) No 216/2008 and its implementing rules.
- (2) Acceptable means of compliance are non-binding standards adopted by EASA, which may be used by persons and organisations to demonstrate compliance with Regulation (EC) No 216/2008 and its implementing rules; when acceptable means of compliance are complied with, the related requirements of the implementing rules are met.
- (3) Guidance material is non-binding material developed by EASA, which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EC) No 216/2008, its implementing rules, certification specifications and acceptable means of compliance.
- (4) EASA shall, pursuant to Article 19(2) of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned.
- (5) The provision of air traffic management/air navigation services ('ATM/ANS') must comply with the requirements set out in Regulation (EC) No 216/2008, and in particular with Articles 8b and 22a thereof and Annex Vb thereto.

<sup>1</sup> Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).

- (6) Commission Implementing Regulation (EU) 2017/373 laying down common requirements for service providers and the oversight in ATM/ANS services and other ATM network functions, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011 and (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011, was adopted on 1 March 2017<sup>2</sup>.
- (7) The Agency has determined the need to issue acceptable means of compliance and guidance material to facilitate the certification and oversight of the service providers that provide ATM/ANS and other ATM network functions.
- (8) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure<sup>3</sup>, has widely consulted interested parties on the matters which are the subject of this Decision and has provided thereafter a written response to the comments received<sup>4</sup>,

HAS DECIDED:

### **Article 1**

The Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) 2017/373 are those laid down in Annexes I to XIV to this Decision.

### **Article 2**

This Decision shall enter into force on the day following that of its publication in the EASA Official Publication.

Cologne, 8 March 2017

*For the European Aviation Safety Agency  
The Executive Director*

Patrick KY

<sup>2</sup> Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011 (OJ L 62, 8.3.2017, p. 1) (<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1488964263924&uri=CELEX:32017R0373>)

<sup>3</sup> [EASA Management Board \(MB\) Decision No 01-2012 of 13 March 2012](#) amending and replacing Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of Opinions, Certification Specifications and Guidance Material ('Rulemaking Procedure').

<sup>4</sup> <http://easa.europa.eu/document-library/comment-response-documents>

