



Explanatory Note to Decision 2022/004/R

Air traffic management/air navigation services | Common Requirements

and

Update of the AMC & GM on occurrence reporting and on meteorological services

RELATED NPA 2016-19 (RMT.0681) AND OPINION NO 01/2021 (RMT.0719 SUBTASK 3)

EXECUTIVE SUMMARY

Following the amendment of Commission Implementing Regulation (EU) 2017/373 (air traffic management/air navigation services (ATM)/(ANS) Regulation) by Commission Implementing Regulation (EU) 2021/1338, this Decision updates the acceptable means of compliance (AMC) and guidance material (GM) to the Regulation in order to facilitate the uniform implementation of the requirements related to:

- occurrence reporting, by clarifying certain procedural aspects which affect air navigation services providers (ANSPs) and competent authorities; and
- meteorological services (MET) provision, by completing the regulatory framework with the introduction of provisions stemming from ICAO Annex 3 Amendments 78 and 79.

Domain:	Safety management (RMT.0681); air traffic management / air navigation services (RMT.0719)		
Related rules:	Part-DEF, Part-ATM/ANS.AR, Part-ATM/ANS.OR, Part-MET of the ATM/ANS Regulation		
Affected stakeholders:	ATM/ANS providers, especially MET providers; aircraft operators; aerodrome operators; national competent authorities (NCAs); EASA		
Driver:	Effectiveness of safety management and safety (RMT.0681)	Rulemaking group:	No
	Efficiency/proportionality (RMT.0719)		
Impact assessment:	No	Rulemaking Procedure:	Standard (RMT.0681) Accelerated (RMT.0719)

EASA rulemaking procedure milestones

Start Terms of Reference	Consultation	Proposal to the Commission Opinion	Adoption by Commission Implementing Act	Decision Acceptable Means of Compliance, Guidance Material
RMT.0681: 30.9.2015	19.12.2016 (public consultation)	N/A	N/A	14.3.2022
RMT.0719: 18.8.2017	8.5.2020 (advisory body consultation)	22.2.2021	11.8.2021	



Table of contents

1. About this Decision	3
2. In summary — why and what	5
2.1. Why we need to amend the AMC and GM — issue/rationale.....	5
2.2. What we want to achieve — objectives	5
2.3. How we want to achieve it — overview of the amendments.....	6
2.4. What are the stakeholders’ views — outcome of the consultation.....	8
2.5. What are the benefits and drawbacks of the amendments	8
3. How we monitor and evaluate the amended AMC and GM	10
4. References.....	11
4.1. Related EU regulations	11
4.2. Related EASA decisions.....	11
4.3. Other reference documents	11
5. Related document.....	13



1. About this Decision

The European Union Aviation Safety Agency (EASA) developed Decision 2022/004/R in line with Regulation (EU) 2018/1139¹ (the ‘Basic Regulation’) and the Rulemaking Procedure².

This Decision is an outcome of rulemaking tasks RMT.0681 and RMT.0719. Both RMTs are included in Volume II of the European Plan for Aviation Safety (EPAS) for 2022–2026³. The scope and timescales of the RMTs were defined in the related ToR.

The *draft* regulatory text of this Decision was consulted through:

- the public consultation of Notice of Proposed Amendment (NPA) 2016-19 ‘Alignment of implementing rules and acceptable means of compliance/guidance material with Regulation (EU) No 376/2014 — Occurrence reporting’ developed under RMT.0681, and involving, inter alia, industry, NCAs and social partners; and
- the consultation with the EASA advisory bodies (ABs) of a proposal to amend Annex V (Part-MET) to the ATM/ANS Regulation⁴ (as well as the associated AMC & GM), developed under RMT.0719, in accordance with Article 16 ‘Special rulemaking procedure: accelerated procedure’ of MB Decision No 18-2015. The referenced proposed text consulted with the EASA ABs was developed by EASA through a focused consultation with the affected stakeholders that comprised technical meetings (four in total) and regular electronic correspondence with the MET experts nominated by the Air Traffic Management/Air Navigation Services Technical Body (ATM/ANS TeB) and the Air Traffic Management/Air Navigation Services Technical Committee (ATM/ANS TEC).

EASA reviewed both the comments received during the public consultation (RMT.0681) and those received during the AB consultation (RMT.0719). As regards RMT.0681, the comments received and EASA’s responses to them are presented in Comment-Response Document (CRD) 2016-19⁵. As regards RMT.0719, the comments received are summarised in Section 2.4.

¹ Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

² EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the ‘Rulemaking Procedure’. See MB Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).

³ <https://www.easa.europa.eu/document-library/general-publications/european-plan-aviation-safety-2022-2026>

⁴ 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) (<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32017R0373&qid=1644504912938>).

⁵ <https://www.easa.europa.eu/document-library/comment-response-documents/crd-2016-19>

EASA developed the *final* text of this Decision with the AMC and GM based on the input from the public and the AB consultations as well as following further coordination with the aforementioned MET experts with regard to amendments to the AMC and GM related to Part-MET.

The major milestones of the RMTs are presented on the cover page.



2. In summary — why and what

2.1. Why we need to amend the AMC and GM — issue/rationale

Occurrence reporting, follow-up and analysis

Regulation (EU) No 376/2014⁶ on the reporting, analysis and follow-up of occurrences in civil aviation contains specific obligations for EASA, Member State NCAs, individuals, and approved organisations, amongst which ATM/ANS providers. These obligations exist in parallel with the reporting obligations established by the Basic Regulation and the delegated and implementing acts adopted on the basis thereof. Although the aforementioned Regulations have the same purpose and broadly the same outcomes, there were some differences, overlaps and ambiguities that required resolution and eventual alignment. Therefore, the ATM/ANS Regulation was amended by Regulation (EU) 2021/1338⁷ in that respect. In this context, EASA has determined the need to amend the existing AMC and GM to facilitate the implementation of the amended requirements.

Meteorological services (MET)

Annex V (Part-MET) to the ATM/ANS Regulation sets out the specific requirements for the providers of MET within the EU by transposing the relevant ICAO Annex 3 provisions into the EU regulatory framework. Such transposition considers the specific requirements as regards the European airspace structure, which are appropriate and proportionate for the provision of MET within the EU. Annex V (Part-MET), as amended by Regulation (EU) 2020/469⁸, was synchronised with ICAO Annex 3 Amendment 77-A (applicable since November 2016).

With the introduction of Regulation (EU) 2021/1338, the synchronisation of Part-MET with the newly introduced ICAO Annex 3 Amendments 78 and 79 was ensured at Implementing Rule level. This includes, amongst others, requirements concerning the provision of SIGMET/AIRMET by meteorological watch offices (MWOs), the coordination between themselves, and the facilitation of area forecasts for low-level flights. In this context, EASA has determined the need to amend the existing AMC and GM to facilitate the implementation of the amended requirements.

2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. This Decision will contribute to achieving the overall objectives by addressing the issues described in Section 2.1.

The specific objectives of this Decision are to:

⁶ Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0376&qid=1644505789425>).

⁷ Commission Implementing Regulation (EU) 2021/1338 of 11 August 2021 amending Implementing Regulation (EU) 2017/373 as regards reporting requirements and reporting channels between organisations, and requirements for meteorological services (OJ L 289, 12.8.2021, p. 12) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R1338&qid=1644509866238>).

⁸ Commission Implementing Regulation (EU) 2020/469 of 14 February 2020 amending Regulation (EU) No 923/2012, Regulation (EU) No 139/2014 and Regulation (EU) 2017/373 as regards requirements for air traffic management/air navigation services, design of airspace structures and data quality, runway safety and repealing Regulation (EC) No 73/2010 (OJ L 104, 3.4.2020, p. 1) (

- promote legal certainty by clarifying the occurrence-reporting requirements within the scope of the Basic Regulation applicable to ATM/ANS providers as regards occurrence reporting, follow-up and analysis;
- complete the synchronisation between ICAO and EU regulatory frameworks on Meteorological Services by amending the related AMC and GM to Part-MET to support compliance with the requirements introduced with Regulation (EU) 2021/1338.

2.3. How we want to achieve it — overview of the amendments

Occurrence reporting, follow-up and analysis

Changes are introduced to the AMC and GM on the reporting requirements for ATM/ANS providers, both for those located in the territory to which the Treaties apply and those located outside the territory to which the Treaties apply, when they are responsible for providing services in the airspace of the territory to which the Treaties apply. In this context, amendments to the existing AMC and GM to ATM/ANS.OR.A.065 are summarised as follows:

- AMC1 ATM/ANS.AR.A.020(b) replaces GM4 ATM/ANS.AR.A.020(b) concerning the appointment, by each competent authority, of a coordinator to act as the point of contact for the provision of safety-significant information to the Agency;
- The texts under GM1 ATM/ANS.AR.A.020(b) and GM2 ATM/ANS.AR.A.020(b) are replaced with new ones to better illustrate the intent of the related provisions;
- AMC1 ATM/ANS.OR.A.065 is amended to address more specifically the procedures to be established and the allocation of responsibilities for reporting, as well as to highlight the need to apply safeguards to ensure the protection of the reporter's confidentiality and the protection of personal data;
- AMC1 ATM/ANS.OR.A.065(a) is deleted, and its text has been moved to the new AMC2 ATM/ANS.OR.A.065. The text has been, in point (a), complemented with clarifications regarding the principles underlying the list of reportable occurrences in Regulation (EU) 2015/1018⁹;
- The new AMC3 ATM/ANS.OR.A.065 addresses the case of single reports for multiple-certificate holders;
- The new AMC1 ATM/ANS.OR.A.065(c), added to address reporting between organisations, includes the text of the deleted GM1 ATM/ANS.OR.A.065.
- GM1 ATM/ANS.OR.A.065(b) 'Occurrence reporting' is re-identified as GM1 ATM/ANS.OR.A.065(c).
- The new AMC1 ATM/ANS.OR.A.065(e) is added to address the case of organisations which are not subject to Regulation (EU) No 376/2014 and its delegated and implementing acts.

⁹ Commission Implementing Regulation (EU) 2015/1018 of 29 June 2015 laying down a list classifying occurrences in civil aviation to be mandatorily reported according to Regulation (EU) No 376/2014 of the European Parliament and of the Council (OJ L 163, 30.6.2015, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R1018&qid=1644511770962>).



Meteorological services (MET)

A thorough review of the AMC and GM related to Part-MET was undertaken vis-à-vis the new requirements introduced by Regulation (EU) 2021/1338, with the intent of identifying the necessary amendments which would ensure full coherence in the regulatory framework.

Regulation (EU) 2021/1338 extends the use of the ICAO Meteorological Information Exchange Model (IWXXM) by the EU Member States for the purposes of exchanging meteorological information via a standardised format. Accordingly, the ICAO provisions for the dissemination of IWXXM have been transposed into AMC and GM to facilitate the exchange of meteorological observations and reports (METAR/SPECI), aerodrome forecasts (TAF), SIGMETs, AIRMETs, and volcanic ash and tropical cyclone advisory information.

Furthermore, the improvements introduced at IR level related to the provision of SIGMET by meteorological watch offices (MWOs) and, in particular to information on the release of radioactive material into the atmosphere, are supported by an amendment to GM5 MET.TR.250(a).

In addition, the associated GM1 ATM/ANS.OR.B.005(a)(6) is introduced to provide information and guidance regarding the training and competencies of aeronautical meteorological personnel employed by MET providers.

Furthermore, the terminology has been made more consistent and the existing templates for meteorological reports are amended with row reference numbers to assist in referencing, particularly where future rule changes will require minor changes to the formulation of the elements.

Other amendments concern the following:

- modifications to the provisions on volcanic ash information to facilitate the reporting of volcanic ash in cases of resuspended volcanic ash events;
- introduction of coordination between MWOs to improve the harmonisation of SIGMET;
- improvement of the representation of the location and extent of volcanic ash clouds;
- introduction of increased horizontal and vertical spatial resolution of the hazard grids for turbulence, icing and cumulonimbus (CB) cloud forecasts issued by the world area forecast system (WAFS);
- improvement of the tropical cyclone (TC) SIGMET and TC advisory messages to prevent user misinterpretation and to improve the validation and translation of these messages from traditional alphanumeric codes (TAC) into IWXXM;
- update to the values of the eddy dissipation rate (EDR) to improve the reporting of turbulence from aircraft;
- assurance that the IWXXM scheme can easily indicate missing and/or incorrect mandatory parameters in METAR in TAC form to avoid failures in the validation process once translated from TAC into IWXXM;
- facilitation of area forecasts for low-level flights to be transmitted to aeronautical fixed service internet-based services;
- support for the simplified implementation of existing requirements concerning radioactive cloud (RDOACT CLD) SIGMET and AIRMET messages for consistency purposes;

- introduction of regulatory consistency and of a strengthened mechanism for the possibility of the issue of SPECI, where required;
- alignment of the units used in the templates for METAR, local reports and the related tables titled ‘Ranges and resolutions’, with respect to surface wind speed and height of cloud base, in compliance with the existing Part-MET requirements;
- update of the AMC and GM related to the Appendices.

This Decision will be applicable 90 days after its entry into force.

2.4. What are the stakeholders’ views — outcome of the consultation

2.4.1. Outcome of the NPA 2016-19 public consultation (RMT.0681)

355 comments were submitted by a variety of stakeholders, out of which 15 comments concerned the specific proposals for the amended ATM/ANS provisions. The commentators were in general supportive of the proposed amendments to the relevant AMC and GM.

EASA reviewed all the comments received and, in response to some of them, the text that was proposed in NPA 2016-19 was modified in certain parts, for improvement or clarification purposes.

For further details, please refer to CRD 2016-19 (RMT.0681).

2.4.2. Outcome of the AB consultation (RMT.0719)

The consultation with the EASA ABs indicated commitment on the proposed approach for the synchronisation of the EU regulatory framework with the last two ICAO Annex 3 amendments. In addition to such synchronisation, the consultation with the EASA ABs identified the need for specific requirements (introduced with Regulation (EU) 2021/1338) concerning the issuance of area forecasts for low-level flights without AIRMET and the inclusion of RVR reporting criteria. This Decision provides the related AMC and GM to facilitate implementation.

A swift implementation feedback on the introduced amendments to the specific requirements for MET providers was also received as justification for the need of synchronisation of the EU regulation in question with ICAO Annex 3 Amendments 78 and 79.

2.5. What are the benefits and drawbacks of the amendments

2.5.1. Occurrence reporting, follow-up and analysis

The amendments introduced with this Decision:

- promote legal certainty by clarifying the occurrence-reporting requirements within the scope of the Basic Regulation applicable to ATM/ANS providers; and
- support the implementation of effective occurrence-reporting systems, as part of the organisation’s management system, by the ATM/ANS providers concerned.

No specific drawbacks have been identified relating to the proposed amendments.

2.5.2. Meteorological services (MET)

The amendments introduced with this Decision will provide the following benefits:

- the provision to air operators and aircrews of information on areas of volcanic ash raised by the wind (known as ‘resuspended volcanic ash’ events);



- greater consistency of SIGMET between neighbouring flight information regions (FIRs) through increased and improved coordination between MWOs;
- increased safety through better planning of routes to avoid hazardous weather (turbulence, icing and CB clouds) as a result of higher-resolution forecasts issued by the WAFS;
- improved reporting and forecasting of turbulence through updated values of the EDR.

All of the above are anticipated to result in enhanced safety and efficiency and, as highlighted in the impact assessment included in the relevant ICAO State letters introducing Amendments 78 and 79 to ICAO Annex 3, the improvements in efficiency and safety will in return reduce costs.

Additionally, the use of the IWXXM form for the dissemination of meteorological information will support future efficiencies in the use of meteorological information by all EU aviation industry stakeholders and prepare the ground for further digitalisation.

No specific drawbacks have been identified relating to the proposed amendments.



3. How we monitor and evaluate the amended AMC and GM

EASA will monitor and evaluate the implementation of the resulting AMC and GM through regular standardisation activities. In addition, the monitoring of the implementation of the resulting amendments would be carried out through regular feedback received from the EASA ABs. These inputs will facilitate the assessment of how efficiently the adopted implementing measures have been or are currently applied.



4. References

4.1. Related EU regulations

- Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1)
- 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)
- Commission Implementing Regulation (EU) 2020/469 of 14 February 2020 amending Regulation (EU) No 923/2012, Regulation (EU) No 139/2014 and Regulation (EU) 2017/373 as regards requirements for air traffic management/air navigation services, design of airspace structures and data quality, runway safety and repealing Regulation (EC) No 73/2010 (OJ L 104, 3.4.2020, p. 1)
- Commission Implementing Regulation (EU) No 2021/1338 of 11 August 2021 amending Implementing Regulation (EU) 2017/373 as regards reporting requirements and reporting channels between organisations, and requirements for meteorological services (OJ L 289, 12.8.2021, p. 12)
- Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18)

4.2. Related EASA decisions

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'

4.3. Other reference documents

- Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) - Statement by the Member States on military issues related to the single European sky (OJ L 96, 31.3.2004, p. 1)



-
- Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation) (OJ L 96, 31.3.2004, p. 10)
 - Regulation (EC) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the single European sky (the airspace Regulation) (OJ L 96, 31.3.2004, p. 20)
 - Commission Delegated Regulation (EU) 2020/2148 of 8 October 2020 amending Regulation (EU) No 139/2014 as regards runway safety and aeronautical data (OJ L 428, 18.12.2020, p. 10)
 - ICAO Annex 3 to the Convention on International Civil Aviation, 'Meteorological Service for International Air Navigation', 19th Edition, 2016
 - ICAO State letter AN 10/1.1-18/32 'Adoption of Amendment 78 to Annex 3', 3 April 2018
 - ICAO State letter AN 10/1.1-20/16 'Adoption of Amendment 79 to Annex 3', 2 April 2020
 - ICAO Procedures for Air Navigation Services — Aeronautical Information Management
 - ICAO Doc 10066, 1st Edition, 2018



5. Related document

CRD 2016-19 'Alignment of EASA Basic Regulation (Regulation (EU) 2018/1139) with the specific obligations stemming from Regulation (EU) No 376/2014'

