



EUROPEAN
COMMISSION

Brussels, **XXX**
[...](2024) **XXX** draft

Annex to EASA Opinion No 01/2024

COMMISSION DELEGATED REGULATION (EU) .../...

of **XXX**

**amending Commission Regulation (EU) 2022/1645 as regards
requirements on information security for organisations providing
ground handling services**

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amending Commission Regulation (EU) 2022/1645

as regards requirements on information security for organisations providing ground handling services

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Articles 19(1)(g), 39(1)(b) and (39)(2) thereof,

Whereas:

- (1) Regulation (EU) 2018/1139 establishes the essential requirements for the safe provision of ground handling services and organisations providing them, as well as requirements for oversight by competent authorities of those organisations and the ground handling services provided at the Union aerodromes within the scope of that Regulation.
- (2) In accordance with the essential requirements set out in Annex VII, point 4.2.1, to Regulation (EU) 2018/1139 and with Commission Delegated Regulation xx [ground handling], organisations responsible for the safe provision of ground handling services are to implement and maintain a management system to manage safety risks.
- (3) The safety risks referred to in recital (2) may derive from different sources, including design and maintenance flaws, human performance aspects, environmental threats and information security threats. Therefore, the management systems implemented by the organisations as referred to in recitals (1) and (2), should take into account not only safety risks stemming from random events, but also safety risks deriving from information security threats where existing flaws may be exploited by individuals with a malicious intent. Those information security risks are constantly increasing in the civil aviation environment as the current information systems are becoming more and more interconnected, and increasingly becoming the target of malicious actors.
- (4) The requirements laid down in this Regulation should be without prejudice to information security and cybersecurity requirements laid down in point 1.7 of the Annex to

⁽¹⁾ [OJ L 212, 22.8.2018, p.1.](#)

Commission Implementing Regulation (EU) 2015/1998 ⁽²⁾ and in Article 14 of Directive (EU) 2016/1148 of the European Parliament and of the Council ⁽³⁾.

- (5) To avoid duplication of legal requirements, where organisations covered by this Regulation are already subject to security requirements laid down in point 1.7 of the Annex to Commission Implementing Regulation (EU) 2015/1998 ⁽⁴⁾ and in Article 14 of Directive (EU) 2016/1148 of the European Parliament and of the Council ⁽⁵⁾, which are, in their effect equivalent to the provisions laid down in this Regulation, compliance with those security requirements should be considered to constitute compliance with the requirements laid down in this Regulation.
- (6) Organisations covered by this Regulation that are already subject to security requirements arising from Implementing Regulation (EU) 2015/1998 should also comply with the requirements of Annex I (Part IS.D.OR.230 ‘Information security external reporting scheme’) to this Regulation as Implementing Regulation (EU) 2015/1998 does not contain any provisions related to external reporting of information security incidents.
- (7) A link should be established between the management system prescribed by Commission Regulation xx [ground handling] and the information security management requirements prescribed by Regulation (EU) 2022/1645. Therefore, Regulation (EU) 2022/1645 should be amended to include organisations providing ground handling services under its scope.
- (8) The requirements laid down in this Regulation are based on Opinion No 01/2024, issued by the Agency in accordance with Article 75(2) points (b) and (c) and Article 76(1) of Regulation (EU) 2018/1139.
- (9) In accordance with Article 128(4) of Regulation (EU) 2018/1139, the Commission consulted experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making.
- (10) In order to provide organisations with sufficient time to ensure compliance with the new rules and procedures introduced by this Regulation, this Regulation should apply from 6 years after the date of entry into force,

HAS ADOPTED THIS REGULATION:

⁽²⁾ Commission Implementing Regulation (EU) 2015/1998 of 5 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security ([OJ L 299, 14.11.2015, p. 1](#)).

⁽³⁾ Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union ([OJ L 194, 19.7.2016, p. 1](#)).

⁽⁴⁾ Commission Implementing Regulation (EU) 2015/1998 of 5 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security ([OJ L 299, 14.11.2015, p. 1](#)).

⁽⁵⁾ Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union ([OJ L 194, 19.7.2016, p. 1](#)).

Article 1
Subject matter

Commission Delegated Regulation (EU) 2022/1645 is amended as follows:

1. the title of the Regulation is replaced by the following:
‘Commission Delegated Regulation (EU) 2022/1645 laying down rules for the application of Regulation (EU) 2018/1139 of the European Parliament and of the Council, as regards requirements for the management of information security risks with a potential impact on aviation safety for organisations covered by Commission Regulations (EU) No 748/2012, (EU) No 139/2014, and (EU) xx [ground handling] and amending Commission Regulations (EU) No 748/2012 and (EU) No 139/2014’;
2. in Article 2(1), the following point (c) is added:
‘(c) ground handling organisations subject to Regulation (EU) xx [ground handling] that:
 - (i) in order to provide the respective services, have to collect, store, analyse or otherwise process data provided by third parties; or
 - (ii) provide directly to aircraft operators data that will be used for operational purposes.’;
3. in Article 5(1), the following point (c) is added:
‘(c) with regard to organisations referred to in Article 2, point (c), the competent authority designated in accordance with the Annex (Part-ARGH) to Commission Implementing Regulation yy [oversight of ground handling].’.

Article 2
Entry into force and application

1. This Regulation shall enter into force on the [twentieth] day following that of its publication in the *Official Journal of the European Union*.
2. It shall apply from [6 years from the date of entry into force].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
[...]