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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	22 September 2020
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2020) 579 final
Subject:	ANNEXES to the amended proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the implementation of the Single European Sky (recast)

Delegations will find attached the annex to document COM(2020) 579 final.

Encl.: Annex to COM(2020) 579 final

EUROPEAN
COMMISSION

Brussels, 22.9.2020
COM(2020) 579 final

ANNEXES 1 to 3

ANNEXES

to the amended proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the implementation of the Single European Sky
(recast)

{SWD(2020) 187 final}

↓ 550/2004

→1 1070/2009 Art. 2.13(a)

→2 1070/2009 Art. 2.13(b)

~~ANNEX I~~

→1 ~~REQUIREMENTS FOR QUALIFIED ENTITIES~~ ←

→2 ~~The qualified entities must:~~ ←

- ~~be able to document extensive experience in assessing public and private entities in the air transport sectors, in particular air navigation service providers, and in other similar sectors in one or more of the fields covered by this Regulation,~~
- ~~have comprehensive rules and regulations for the periodic survey of the abovementioned entities, published and continually upgraded and improved through research and development programmes,~~

↓ 1070/2009 Art. 2.13(b)

- ~~not be controlled by air navigation service providers, by airport management authorities or by others engaged commercially in the provision of air navigation services or in air transport services,~~
- ~~be established with significant technical, managerial, support and research staff commensurate with the tasks to be carried out,~~

↓ 552/2004

~~6. The body must take out liability insurance unless its liability is assumed by the Member State in accordance with national law, or the Member State itself is directly responsible for the inspections.~~

~~7. The staff of the body must observe professional secrecy with regard to all information acquired in carrying out their tasks under this Regulation.~~

↓ 1070/2009 Art. 2.13(b)

- ~~be managed and administered in such a way as to ensure the confidentiality of information required by the administration,;~~
- ~~be prepared to provide relevant information to the national supervisory authority concerned,;~~
- ~~have defined and documented its policy and objectives for and commitment to quality and have ensured that this policy is understood, implemented and maintained at all levels in the organisation,;~~
- ~~have developed, implemented and maintained an effective internal quality system based on appropriate parts of internationally recognised quality standards and in compliance with~~

~~EN 45004 (inspection bodies) and with EN 29001, as interpreted by the IACS Quality System Certification Scheme Requirements,;~~

~~– be subject to certification of its quality system by an independent body of auditors recognised by the authorities of the Member State in which it is located.;~~

↓ 550/2004 (adapted)

⇨ new

ANNEX I~~H~~

CONDITIONS ~~TO~~ ⌦ THAT MAY ⌫ BE ATTACHED TO CERTIFICATES ⌦ REFERRED TO IN ARTICLE 6 ⌫

~~1. Certificates shall specify:~~

~~(a) the national supervisory authority issuing the certificate;~~

~~(b) the applicant (name and address);~~

~~(c) the services which are certified;~~

~~(d) a statement of the applicant's conformity with the common requirements, as defined in Article 6 of this Regulation ;~~

~~(e) the date of issue and the period of validity of the certificate.~~

~~2.~~ Additional conditions attached to certificates may, as appropriate, be related to:

~~(a) non-discriminatory access to services for airspace users and the required level of performance of such services, including safety and interoperability levels;~~

~~(b) the operational specifications for the particular services;~~

~~(c) the time by which the services should be provided;~~

~~(d) the various operating equipment to be used within the particular services;~~

(a~~e~~) ring-fencing or restriction of operations of services other than those related to the provision of air navigation services;

(b~~f~~) contracts, agreements or other arrangements between the service provider and a third party and which concern the service(s);

(c~~g~~) provision of information reasonably required for the verification of ~~compliance of the services with~~ the ~~common~~ requirements ⇨ of Article 6(1) ⇦ ~~, including plans, financial and operational data, and major changes in the type and/or scope of air navigation services provided~~;

(d~~h~~) any other legal conditions which are not specific to air navigation services, such as conditions relating to the suspension or revocation of the certificate.

↑

ANNEX II

Repealed Regulations with the amendment thereto

Regulation (EC) No 549/2004 of the European Parliament and of the Council (OJ L 96, 31.3.2004, p. 1)	
Regulation (EC) No 550/2004 of the European Parliament and of the Council (OJ L 96, 31.3.2004, p. 10)	
Regulation (EC) No 551/2004 of the European Parliament and of the Council (OJ L 96, 31.3.2004, p. 20)	
Regulation (EC) No 1070/2009 of the European Parliament and of the Council (OJ L 300, 14.11.2009, p. 34)	Only Articles 1, 2 and 3

↑

ANNEX III

CORRELATION TABLE

Regulation 549/2004	Regulation 550/2004	Regulation 551/2004	This Regulation
Article 1(1) to (3)			Article 1(1) to (3)
Article 1(4)			-
-			Article 1(4) to (6)
Article 2, point 1(a) and (b)			Article 2, point 5(a) and (b)
Article 2, point 2			Article 2, point 1
Article 2, point 3			Article 2, point 2
Article 2, point 4			Article 2, point 4
-			Article 2, points 6 and 7
Article 2, point 5			Article 2, point 3
Article 2, point 6			Article 2, point 11
Article 2, point 7			Article 2, point 12
-			Article 2, point 13
Article 2, point 8			Article 2, point 14
Article 2, point 9			Article 2, point 8
Article 2, point 10			Article 2, point 9
Article 2, point 11			Article 2, point 10
Article 2, point 12			Article 2, point 17

-			Article 2, points 18 to 20
Article 2, point 13			Article 2, point 16
Article 2, point 13a			Article 2, point 33
Article 2, point 14			-
Article 2, point 15			Article 2, point 21
-			Article 2, point 22
Article 2, point 16			Article 2, point 23
Article 2, point 17			Article 2, point 32
Article 2, point 18			-
Article 2, point 19			Article 2, point 24
-			Article 2, points 25 and 26
Article 2, point 20			Article 2, point 31
Article 2, point 22			Article 2, point 34
Article 2, point 23			-
Article 2, point 23a			Article 2, point 35
Article 2, point 23b			Article 2, point 15
Article 2, points 24 and 25			-
Article 2, point 26			Article 2, point 36
Article 2, point 27			-
Article 2, point 28			Article 2, point 37

Article 2, point 29			Article 2, point 38
-			Article 2, points 39 and 40
Article 2, point 30			Article 2, point 41
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Article 2, point 31			Article 2, point 44
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Article 2, point 32			-
Article 2, point 33			Article 2, point 46
Article 2, point 34			Article 2, point 47
-			Article 2, points 48 to 52
Article 2, points 35 and 36			-
Article 2, point 38			Article 2, point 53
Article 2, point 39			Article 2, point 54
-			Article 2, points 55 and 56
Article 2, point 40			Article 2, point 57
Article 2, point 41			Article 2, point 27
-			Article 2, points 28 to 30
Article 3			-

Article 4(1)			Article 3(1)
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-			Article 3(4) to (6)
Article 4(3)			Article 3(2)
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-			Article 3(8)
Article 4(5)			Article 3(9)
-			Articles 3(10) and Articles 4 to 9
Article 5(1)			Article 37(1)
Article 5(2)			Article 37(2)
Article 5(3)			Article 37(3)
Article 5(4) and (5) and Article 6			-
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Article 8(1)			Article 40
Article 8(2)			-
-			Article 41
Article 9			Article 42
Article 10(1)			Article 38(1)
Article 10(2)			Article 38(2)
Article 10(3)			Article 38(3)

Article 11(1) first sentence, and Article 11(3) point (d) first and third sentences			Article 10(1)
Article 11(1), points (a) to (c)			Article 10(2)
Article 11(2)			-
Article 11(3), point (a)			Article 11
-			Article 12
Article 11(3), points (b) and (c)			Articles 13 and 14
Article 11(3), point (d) second sentence			Articles 13(11) and 14(10).
Article 11(3), point (e)			Articles 13(11), 14(10) and 15.
-			Articles 16 and 17
Article 11(4), point (a)			Article 10(3), point (a)
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Article 11(4), point (b) and (c)			-
Article 11(4), point (d)			Article 10(3), point (e)
Article 11(4), point (e)			Article 10(3), point (f)
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			(g) to (l)
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Article 12(1) and 12(2) up to "in Article 3,"			Article 43(1)
Article 12(2), part of the first sentence starting with "and shall firstly report to the European Parliament"			Article 43(2)
Article 12(3) and (4)			-
Article 13			Article 44
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Article 13a			-
Article 14			Article 46
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	-		Article 5(1)
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	Article 2(6)		Article 5(5)
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	Article 7(2)		Article 6(4)
	Article 7(3) first sentence		Article 6(1), first subparagraph second sentence
	Article 7(3) second and third sentences		-
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	Article 15(3) point (d)		Article 19(2)
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		Article 6(2), third subparagraph, first sentence	Article 27(2)
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		Article 7(2)	Article 33(2)
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		Article 11	Article 46