



Council of the
European Union

Brussels, 28 November 2016
(OR. en)

Interinstitutional File:
2015/0277 (COD)

13505/1/16
REV 1 ADD 2

LIMITE

AVIATION 215
CODEC 1490
RELEX 867

REPORT

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. prev. doc.:	13505/1/16 REV 1 AVIATION 215 CODEC 1490 RELEX 867
No. Cion doc.:	14991/15 AVIATION 152 CODEC 1667 RELEX 1014 + ADD 1-5
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and repealing Regulation (EC) No 216/2008 of the European Parliament and of the Council – General approach

Delegations will find in the Annex a joint statement made by IT and BE in the COREPER meeting of 16 November 2016, to be entered into the minutes of COREPER/Council.

Statement by Italy and Belgium on art. 109 (f)

Italy and Belgium have tried to save article 109(f) proposing two compromise texts aimed at reaching the rational use of resources and cost neutrality with respect to Eurocontrol charges, for airspace users.

Italy and Belgium support that supervisory tasks linked to regulatory tasks, other than rulemaking activities, performed by EASA under the ATM/ANS performance system, are to be funded through aviation user charges. Rejecting the application of this principle to the ATM/ANS authority tasks developed by the Agency would penalise the EU tax payer.

At the same time, Italy and Belgium acknowledge the need for extra funding to EASA to deal with ATM/ANS rulemaking activities. This can be financed on a temporary basis through the user charge system, provided the cost neutrality is guaranteed. A permanent financing of rulemaking activities with user charges should be, however, extended for symmetry as to the other aviation domains.

In addition to those Member States which supported our second compromise proposal, Italy and Belgium also acknowledge that a group of Member States expressed their intention to keep this option and establish their final position on the basis of the Commission-EASA-Eurocontrol pan-European roadmap whose purpose was to clarify the tasks that have been transferred from Eurocontrol to EASA in order to avoid overlapping between the two institutions.

The user charges for EASA should be determined in accordance with the procedures of the ATM/ANS Performance System, which means the development of a specific EASA Performance Plan. Similar to what happens for Eurocontrol contribution, Member States should collect the money and then give it to EASA.

Italy and Belgium also acknowledge that art. 109 (f) was supported by the European Parliament, namely the vast majority of the political Groups and national delegations during the vote on EP Transport Committee last 10 November 2016.
