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From:	General Secretariat of the Council
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Subject:	Amended proposal for a Regulation on the implementation of the Single European Sky Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2018/1139 as regards the capacity of the European Union Aviation Safety Agency to act as Performance Review Body of the Single European Sky <ul style="list-style-type: none">• Discussion on the basis of a Presidency compromise for the proposal amending EASA Basic Regulation.

In view of the Aviation Working Party of 1 February 2024, delegations will find in the Annex a revised four-column document. Changes in comparison to document ST 16432/23 ADD1 are highlighted in **bold underlined** and ~~strikethrough~~.

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) 2018/1139 as regards the capacity of the European Union Aviation Safety Agency to act as Performance Review Body of the Single European Sky

	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
	<i>Recitals will be discussed later.</i>			
29.	HAVE ADOPTED THIS REGULATION:			
30.	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>	No change to COM proposal.
31.	Regulation (EU) 2018/1139 is amended as follows:	Regulation (EU) 2018/1139 is amended as follows:	Regulation (EU) 2018/1139 is amended as follows:	No change to COM proposal.
32.			(a1) Article 2⁷ is amended as follows: ⁷ Changes to this Article are meant to update references contained in Regulation 2018/1139.	PCY proposes to maintain GA.
33.			(a) Subparagraph (h) of paragraph 1 is replaced	PCY proposes to maintain GA.

	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
			by the following:	
34.			‘without prejudice to Regulation [Amended SES2+] of the European Parliament and of the Council and the responsibilities of Member States with regard to airspace under their jurisdiction, the design of airspace structures in the Single European Sky airspace.’	PCY proposes to maintain GA.
35.			(b) paragraph 5 is replaced by the following:	PCY proposes to maintain GA.
36.			‘5. Without prejudice to national security and defence requirements, and Article [1(2)] of [Amended SES2+], Member States shall ensure that:	PCY proposes to maintain GA.
37.			(a) the facilities referred to in point (b) of the first	PCY proposes to maintain GA.

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			subparagraph of paragraph 3 of this Article that are open to public use; and	
38.			(b) the ATM/ANS referred to in point (c) of the first subparagraph of paragraph 3 of this Article that are provided to air traffic to which Regulation [Amended SES2+] applies,	PCY proposes to maintain GA.
39.			offer a level of safety and interoperability with civil systems that is as effective as that resulting from the application of the essential requirements set out in Annexes VII and VIII to this Regulation.'	PCY proposes to maintain GA.
40.	(1) in Article 3, point 5 is replaced by the following:	(1) in Article 3, point 5 is replaced by the following:	(1)In Article 3, point 5, 33 and 34 [...] are replaced by the	PCY proposes to maintain GA.

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			following:	
41.	<p>‘(5) ‘ATM/ANS’ means air traffic management and air navigation services and covers all of the following: the air traffic management functions and services as defined in point (9) of Article 2 of [amended SES2+]; the air navigation services as defined in point (4) of Article 2 of that Regulation, including the network functions referred to in Article 26 of that Regulation, as well as services which augment signals emitted by satellites of core constellations of GNSS for the purpose of air navigation; flight procedures design; services consisting in the origination and processing of data and the formatting and delivering of data to general air traffic for the purpose of air navigation; and air traffic data services which are the services consisting in the</p>	<p>‘(5) ‘ATM/ANS’ means air traffic management and air navigation services and covers all of the following: the air traffic management functions and services as defined in point (9) of Article 2 of [amended SES2+]; the air navigation services as defined in point (4) of Article 2 of that Regulation, including the network functions referred to in Article 26 of that Regulation, as well as services which augment signals emitted by satellites of core constellations of GNSS for the purpose of air navigation; flight procedures design; services consisting in the origination and processing of data and the formatting and delivering of data to general air traffic for the purpose of air navigation; and air traffic data services which are the services consisting in the collection, aggregation and</p>	<p>‘(5) ‘ATM/ANS’ means air traffic management as defined in point (9) of Article 2 of [Amended SES2+] [...] and air navigation services as defined in point (4) of Article 2 of that Regulation, [...] as well as the network functions referred to in Article 26 of that Regulation [...] and services consisting in the origination and processing of data and in the formatting and delivering of data to general air traffic for the purpose of air navigation [...];’</p>	PCY proposes to maintain GA.

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	collection, aggregation and integration of operational data from providers of surveillance services, from providers of meteorological services (MET) and aeronautical information services (AIS) and network functions and from other relevant entities, and/or the provision of processed data for air traffic control and air traffic management purposes;’;	integration of operational data from providers of surveillance services, from providers of meteorological services (MET) and aeronautical information services (AIS) and network functions and from other relevant entities, and/or the provision of processed data for air traffic control and air traffic management purposes;’;		
42.		‘(5a) "designated air traffic service provider" means a designated air traffic service as defined in Article 2(10b new) of [Amended SES2+];		PCY compromise proposal: ‘(5a) "designated air traffic service provider" means an air traffic service provider designated pursuant to Article 7 of [Amended SES2+];
43.			(33) ‘Single European Sky airspace’ means airspace above the territory to which the Treaties apply, as well as any other airspace where Member States apply Regulation [Amended	PCY proposes to maintain GA.

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			SES2+] in accordance with Article 1(4) of that Regulation ;	
44.			(34)‘national competent authority’ means one or more entities designated by a Member State and having the necessary powers and allocated responsibilities for performing the tasks related to certification, oversight and enforcement in accordance with this Regulation and with the delegated and implementing acts adopted on the basis thereof;	PCY proposes to maintain GA.
45.			(1a) Paragraph 1 of Article 40 is replaced by the following:	<i>(Tentatively agreed):</i> [...]
46.			‘1. The provision of ATM/ANS referred to in point (g) of Article 2(1)	<i>(Tentatively agreed):</i> [...]

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			shall comply with the essential requirements set out in Annex VIII and, if applicable, Annex VII.	
47.			Providers of ATM/ANS shall also:	<i>(Tentatively agreed):</i> [...]
48.			a) In view of ensuring a safe and continuous service provision, demonstrate sufficient financial robustness and have obtained appropriate liability and insurance cover, taking into account their legal status and the level of commercial insurance cover available;	<i>(Tentatively agreed):</i> [...]
49.			b) Comply with applicable requirements on ownership and organisational structure in view of	<i>(Tentatively agreed):</i> [...]

	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
			preventing of conflicts of interest to ensure a non-discriminatory service provision; and	
50.			c) 'Manage security risks.'	<i>(Tentatively agreed):</i> [...]
51.			(1b) Article 41 is amended as follows:	<i>(Tentatively agreed):</i> (1a) Article 41 is amended as follows:
52.			(a) paragraph 2 is replaced by the following:	PCY compromise proposal, since Article 41(2) no longer needs to be amended: [...]
53.			'2. The certificate referred to in paragraph 1 of this Article shall be issued upon application, when the applicant has demonstrated that it complies with the implementing acts referred to in Article 43 adopted to ensure compliance with the essential requirements	PCY compromise proposal, since Article 41(2) no longer needs to be amended: [...]

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			referred to in Article 40(1), first subparagraph as well as the requirements referred to in Article 40(1), second subparagraph, a), b) and c).'	
54.			(b) The following paragraph 3a is added:	PCY compromise proposal: (b) The following paragraph 3a is added:
55.			‘3a The certificate referred to in paragraph 1 of this Article may be subject to objectively justified, non-discriminatory, proportionate and transparent conditions. These conditions may, as appropriate, be related to:	PCY proposes to maintain GA.
56.			(a) ring-fencing or restriction of	PCY proposes to maintain GA.

	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
			operations of services other than those related to the provision of air navigations services;	
57.			(b) contracts, agreements or other arrangements between the service provider and a third party and which concern the service(s);	PCY proposes to maintain GA.
58.			(c) the provision of information reasonably required for the verification of the requirements of the certificate in Article 41, and	PCY proposes to maintain GA.
59.			(d) any other legal conditions which are not specific to air navigation services, such as conditions relating to the suspension or	PCY proposes to maintain GA.

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			revocation of the certificate.’	
60.			(c) paragraph 4 is amended as follows:	<i>(Tentatively agreed):</i> [...]
61.			‘4. The certificate referred to in paragraph 1 of this Article may be limited, suspended or revoked when the holder no longer complies with the essential requirements referred to in Article 40(1), first subparagraph or the requirements referred to in Article 40(1), second subparagraph, a), b) and c) and with the rules and procedures for issuing and maintaining such certificate, in accordance with implementing acts	<i>(Tentatively agreed):</i> [...]

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			referred to in point (b) of the first subparagraph of Article 43(1).’	
62.			(d) paragraph 5 is amended as follows	<i>(Tentatively agreed):</i> [...]
63.			‘5. By way of derogation from paragraph 1 of this Article, in accordance with the implementing acts referred to in Article 43, Member States may decide that providers of flight information services are to be allowed to declare their capability, and the availability to them of the means, to discharge the responsibilities associated with the services provided in compliance with the	<i>(Tentatively agreed):</i> [...]

	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
			essential requirements referred to in Article 40(1), first subparagraph and the requirements referred to in Article 40(1), second subparagraph, a), b) and c). In that case, the Member State concerned shall inform the Commission, the Agency and the other Member States of its decision.'	
64.			(1c) Article 43 is replaced by the following:	<i>(Tentatively agreed):</i> (1b) Article 43 is replaced by the following:
65.			1. In order to ensure the uniform implementation of and compliance with the essential requirements referred to in Article 40(1), first subparagraph and the requirements referred to	<i>(Tentatively agreed):</i> 1. In order to ensure the uniform implementation of and compliance with the essential requirements referred to in Article 40 for the provision of ATM/ANS referred to in

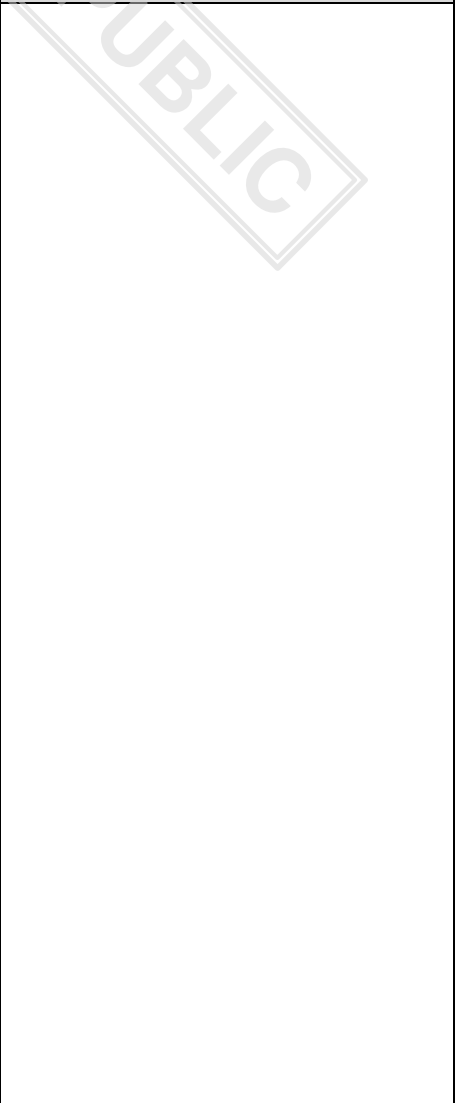
	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
			in Article 40(1), second subparagraph, a), b) and c) for the provision of ATM/ANS referred to in point (g) of Article 2(1), the Commission shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, adopt implementing acts laying down detailed provisions concerning:	point (g) of Article 2(1), the Commission shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, adopt implementing acts laying down detailed provisions concerning:
66.			(a) the specific rules and procedures for the provision of ATM/ANS in compliance with the essential requirements referred to in Article 40(1), first subparagraph and the requirements referred to in Article 40(1),	<i>(Tentatively agreed):</i> (a) the specific rules and procedures for the provision of ATM/ANS in compliance with the essential requirements referred to in Article 40, including the establishment and implementation of the

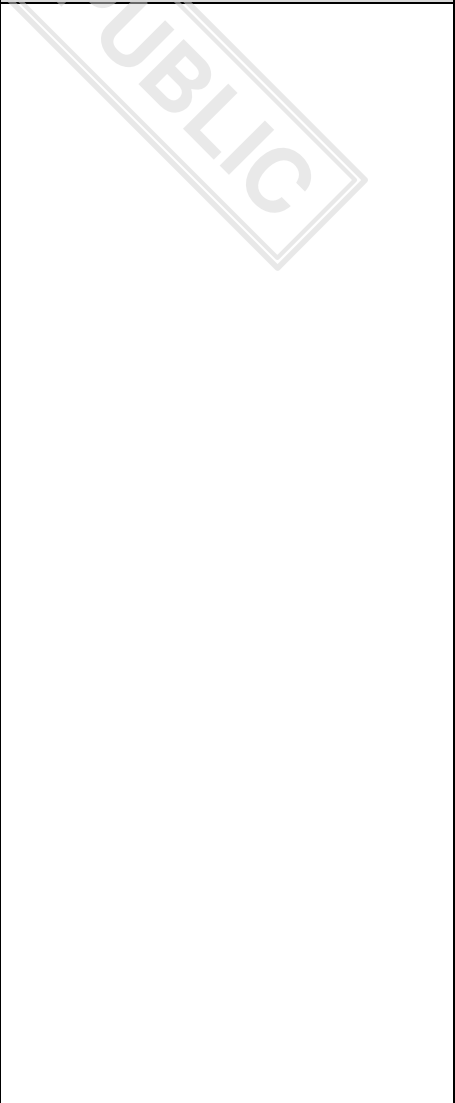
	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
			second subparagraph, a), b) and c), including the establishment and implementation of the contingency plan in accordance with point 5.1(f) of Annex VIII;	contingency plan in accordance with point 5.1(f) of Annex VIII;
67.			(b) the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the certificates referred to in Article 41(1);	PCY compromise proposal: (b) the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the certificates referred to in Article 41(1). <u>These rules and procedures shall apply to the national supervisory authorities referred to in Article 3 of [SES2+ Recast], for their tasks pursuant to Article 6(4) and without prejudice to Article 4(1)a, second subparagraph.</u>
68.			(bb) the conditions referred to in Article 41(3a);	PCY proposes to maintain GA.
69.			(c) the rules and	<i>(Tentatively agreed):</i>

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			procedures for the declaration by providers of flight information services referred to in Article 41(5), and for the situations in which such declarations are to be permitted;	Existing text of EASA BR
70.			(d) the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the certificates referred to in point (b) of Article 42(1), and for the situations in which such certificates are to be required;	<i>(Tentatively agreed):</i> Existing text of EASA BR
71.			(e) the rules and procedures for the declaration by organisations referred to in point (a) of	<i>(Tentatively agreed):</i> Existing text of EASA BR

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			Article 42(1), and for the situations in which such declarations are to be required;	
72.			(f) the privileges and responsibilities of the holders of certificates referred to in Article 41(1) and point (b) of 42(1) and of organisations making declarations in accordance with Article 41(5) and point (a) of Article 42(1).	<i>(Tentatively agreed):</i> Existing text of EASA BR
73.			Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 127(3).	<i>(Tentatively agreed):</i> Existing text of EASA BR
74.			2. The rules referred to in paragraph 1 shall take due account of the ATM Master Plan.	<i>(Tentatively agreed):</i> Existing text of EASA BR

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75.			3. When adopting those implementing acts, the Commission shall ensure compliance with the essential requirements referred to in Article 40(1), first subparagraph and the requirements referred to in Article 40(1), second subparagraph, a), b) and c) of this Regulation and shall take due account of the international standards and recommended practices, in particular those set out in Annexes 2 to 4, 10, 11 and 15 to the Chicago Convention.	<i>(Tentatively agreed):</i> Existing text of EASA BR
75a.				PCY compromise proposal: <u>(1bb) Article 44 is replaced as follows:</u> <u>“1. In order to ensure the uniform implementation</u>

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				<p><u>of and compliance with the essential requirements referred to in Article 40, for the provision of ATM/ANS referred to in point (g) of Article 2(1), as well as for the design of airspace structures, the Commission shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, adopt implementing acts laying down detailed provisions concerning:</u></p> <p><u>(a) the operating rules related to the use of airspace, aircraft equipment and ATM/ANS systems and ATM/ANS constituents required for the use of airspace;</u></p>

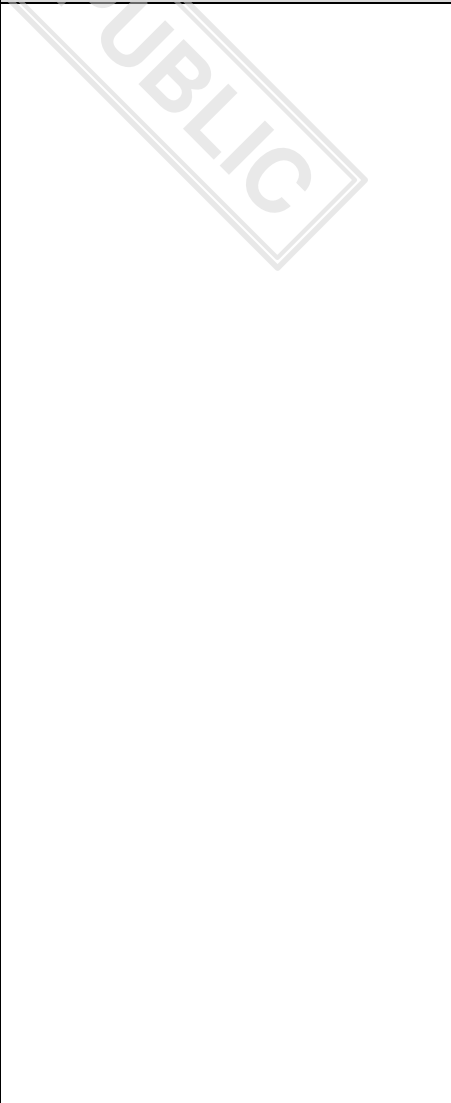
	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
				<p><u>(b) the rules and procedures for the design of airspace structures in order to ensure compliance with Article 46;</u></p> <p><u>(c) the airspace classification.</u></p> <p><u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 127(3).</u></p> <p><u>2. The rules referred to in paragraph 1 shall take due account of the ATM Master Plan.</u></p> <p><u>3. When adopting those implementing acts, the Commission shall ensure compliance with the essential requirements</u></p>

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				<p>referred to in Article 40 of this Regulation and shall take due account of the international standards and recommended practices, in particular those set out in Annexes 2, 3, 10, 11 and 15 to the Chicago Convention. The implementing act referred to in paragraph 1, point c), shall be based on the ICAO airspace classification contained in Annex 11 to the Chicago Convention, with appropriate adaptation in order to ensure the seamless provision of safe and efficient air traffic services within the single European sky.</p>
76.				<p>PCY compromise proposal: (1c) Article 62 is amended as</p>

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				<p>follows:</p> <p>(a) The following paragraph 2a^{4a} is added:</p> <p>4a 2a. In respect For the purpose of performing their tasks of certification, oversight, and enforcement activities relating in relation with to the essential requirements listed in point 7 of Annex VIII, the competent authoritiesies shall, in addition to its own oversight, rely on the assessments, made by the national supervisory authority referred to in Article 3 of [amended SES2+] when carrying out its tasks under Articles 6(4) of [SES II +] oversight, and enforcement activities of economic requirement by the national supervisory</p>

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				authority referred to in Article 3 of [amended SES2+].
76a.				<p>PCY suggests 2 options:</p> <p><u>Option 1:</u> to introduce, in the SES 2+ Recast, an empowerment for the Commission to adopt, through examination procedure, rules and procedures for the oversight of the NSA under Article 6(4) of the SES Recast.</p> <p><u>Option 2:</u> modify the existing empowerment in EASA BR:</p> <p>(b) Paragraph 14 is amended as follows:</p> <p>‘14. In order to ensure the uniform implementation of and compliance with paragraphs (2) to (9) of this Article, with regard to the tasks of the national competent authorities, and of the national supervisory authorities</p>

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				<p>referred to in Article 3 of [SES2+ Recast] where applicable, related to certification, oversight and enforcement under this Regulation, the Commission shall, on the basis of the principles set out in Article 4 and with a view to achieving the objectives set out in Article 1, adopt implementing acts laying down detailed provisions concerning:</p> <p>(a) the rules and procedures for conducting certification and for conducting the investigations, inspections, audits and other monitoring activities necessary to ensure effective oversight by the</p>

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				<p>national competent authority of the natural and legal persons, products, parts, equipment, ATM/ANS systems and ATM/ANS constituents, flight simulation training devices and aerodromes subject to this Regulation <u>and the oversight by the national supervisory authority of the providers of ATM/ANS in accordance with Article 6(4)(b) of [SES2+ Recast]</u>:</p> <p>(b) the rules and procedures for conducting ramp inspections by the national competent authority and for the grounding of aircraft when the aircraft, its operator or</p>

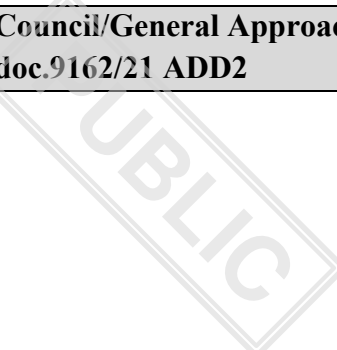
	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
				<p>its aircrew do not comply with the requirements of this Regulation or with the delegated and implementing acts adopted on the basis thereof;</p> <p>(c) the rules and procedures in accordance with which the activities regulated in Chapter III may be prohibited, limited or subject to certain conditions in the interest of safety;</p> <p>(d) in respect of paragraph 4, the rules and procedures for allocation of responsibilities between the national competent authorities, with a view to ensuring the effective performance of the tasks related to certification, oversight and</p>

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				<p>enforcement;</p> <p>(e) the rules and procedures for the accreditation by the national competent authority of a qualified entity for the purpose of Article 69.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 127(3).’</p>
Lines 77 to 89: Since the PRB is no longer established in EASA, PCY proposes to maintain GA: [...]				
90.	(2) Article 93 is replaced by the following:	(2) Article 93 is replaced by the following:	(2)Article 93 is replaced by the following ⁸ : <hr/> 8 Changes to this Article are meant to update references contained in Regulation 2018/1139.	PCY proposes to maintain GA.
91.	‘Article 93 Implementation of Single	‘Article 93 Implementation of Single European	‘Article 93 Implementation of Single	PCY proposes to maintain GA.

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	European Sky	Sky	European Sky	
92.	1. The Agency acting as Performance Review Body (PRB) shall have the tasks and exercise the powers set out in [Amended SES2+].	1. The Agency acting as Performance Review Body (PRB) shall have the tasks and exercise the powers set out in [Amended SES2+].	[...]	PCY proposes to maintain GA.
93.	2. Where it has the relevant expertise, whether or not in its capacity as PRB, the Agency shall, upon request, provide technical assistance to the Commission, in the implementation of the Single European Sky, including on the performance and charging scheme, in particular by:	2. Where it has the relevant expertise, whether or not in its capacity as PRB, the Agency shall, upon request, provide technical assistance to the Commission, in the implementation of the Single European Sky, including on the performance and charging scheme, in particular by:	[...] The Agency shall, where it has the relevant expertise [...] and upon request, provide technical assistance to the Commission, in the implementation of the Single European Sky [...], in particular by:	PCY proposes to maintain GA.
94.	(a) conducting technical inspections, technical investigations, reviews of compliance, studies and projects;	(a) conducting technical inspections, technical investigations, reviews of compliance, studies and projects, including studies relating to harmonised human-machine interfaces;	(a) conducting technical inspections, technical investigations [...], and studies [...];	PCY proposes to maintain GA.
95.			(b) contributing in matters covered by this Regulation, in	PCY proposes to maintain GA.

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			cooperation with the Performance Review Body (PRB) referred to in Article [9b] of [Amended SES2+], to the implementation of a performance scheme for air navigation services and network functions;	
96.	(b)contributing to the implementation of the ATM Master Plan, including the development and deployment of the SESAR programme.’;	(b) contributing to the implementation of the ATM Master Plan, including the development and deployment of the SESAR programme.’;	(c) contributing to the implementation of the ATM Master Plan, including the development and deployment of the SESAR programme.’;	PCY proposes to maintain GA.
Lines 97 to 390: Since the PRB is no longer established in EASA, PCY proposes to maintain GA: [...]				
391.	(21) in Annex VIII, the following point 2.3a is inserted:	(21) in Annex VIII, the following point is inserted:	(21) [...] Annex VIII [...] is amended as follows,	<i>(Tentatively agreed):</i> (1d) Annex VIII is amended as follows:
391 a.				PCY compromise proposal: (a) Point (c) is amended as follows: (c) as appropriate for the

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				<p><u>type of activity undertaken and the size of the organisation, the service provider shall implement and maintain a management system to ensure compliance with the essential requirements set out in this Annex, manage safety and security risks and aim for continuous improvement of this system;</u></p> <p><u>(b) point (i) is added to point 5:</u></p> <p><u>(i) These service providers shall comply with applicable requirements on ownership and organisational structure in view of preventing conflicts of interest to ensure a non-discriminatory service provision.</u></p>

	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
				<p>(c) A new point 7 is added:</p> <p>‘7. FINANCIAL <u>ROBUSTNESS,</u> <u>LIABILITY</u> AND INSURANCE <u>COVER</u> REQUIREMENTS Providers of ATM/ANS shall in ^{a)} in view of ensuring a safe and continuous service provision: ^{a)} demonstrate sufficient financial robustness and ^{b)} have obtained appropriate liability and insurance cover, taking into account their legal status and the level of commercial insurance cover available²⁾; b) Comply with applicable requirements on ownership and</p>

	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
				organisational structure in view of preventing of conflicts of interest to ensure a non-discriminatory service provision; and e) Manage security risks.
392.			(a) the following point 2.3a is inserted:	PCY compromise proposal: (b) the following point 2.3a is inserted:
393.	‘2.3a. Air traffic data services	‘2.3a. Air traffic data services	‘2.3a. Air traffic data services	No difference with the COM proposal.
394.	2.3a.1. The air traffic data collected shall be of sufficient quality, complete, current, from a legitimate source and provided in a timely manner.	2.3a.1. The air traffic data collected shall be of sufficient quality, complete, current, from a legitimate source and provided in a timely manner.	2.3a.1. The air traffic data collected shall be of sufficient quality, complete, current, from a legitimate source and provided in a timely manner	No difference with the COM proposal.
395.	2.3a.2. The air traffic data services shall achieve and maintain sufficient performance with regard to their availability, integrity, continuity and timeliness to meet the user’s needs.	2.3a.2. The air traffic data services shall achieve and maintain sufficient performance with regard to their availability, integrity, continuity and timeliness to meet the user’s needs.	2.3a.2. The air traffic data services shall achieve and maintain sufficient performance with regard to their availability, integrity, continuity and timeliness to meet the	No difference with the COM proposal.

	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
			user's needs.	
396.	2.3a.3 The systems and tools providing air traffic data services shall be properly designed, produced and maintained to ensure that they are fit for their intended purpose.	2.3a.3 The systems and tools providing air traffic data services shall be properly designed, produced and maintained to ensure that they are fit for their intended purpose.	2.3a.3 The systems and tools providing air traffic data services shall be properly designed, produced and maintained to ensure that they are fit for their intended purpose.	No difference with the COM proposal.
397.	2.3a.4. The dissemination of such data shall be timely and use sufficiently reliable and expeditious means of communication protected from intentional and unintentional interference and corruption.'.	2.3a.4. The dissemination of such data shall be timely and use sufficiently reliable and expeditious means of communication protected from intentional and unintentional interference and corruption.'.	2.3a.4. The dissemination of such data shall be timely and use sufficiently reliable and expeditious means of communication protected from intentional and unintentional interference and corruption.'	No difference with the COM proposal.
398.			<p>(b) point 2.8 is replaced by the following⁹:</p> <hr/> <p>⁹ Changes to this point in the Annex are meant to update references contained in Regulation 2018/1139</p>	<p>PCY proposes to maintain GA, with adjustment of numbering:</p> <p>(bc) point 2.8 is replaced by the following:</p>

	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
399.			‘2.8. Airspace management	PCY proposes to maintain GA.
400.			The designation of specific volumes of airspace for a certain use shall be monitored, coordinated and promulgated in a timely manner in order to reduce the risk of loss of separation between aircraft in all circumstances. Taking into account the organisation of military activities and related aspects under the responsibility of the Member States, airspace management shall also support the uniform application of the concept of the flexible use of airspace as described by the ICAO and as implemented under Regulation [Amended SES2+], in order to facilitate airspace	PCY proposes to maintain GA.

	COM proposal, COM(2020) 0577 final	European Parliament/ Plenary report P8_TA	Council/General Approach, doc.9162/21 ADD2	Options for compromises
			management and air traffic management in the context of the common transport policy.'.	
401.	<i>Article 2</i>	Article 2	<i>Article 2</i>	<i>Article 2</i>
402.	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	No difference with the COM proposal.
403.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	No difference with the COM proposal.