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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Aviation
N° prev. doc.:	ST 11637/21 ADD1 REV2
Subject:	Amended proposal for a Regulation of the European Parliament and the Council on the implementation of the Single European Sky (recast) - Comments from Member States on the outcome of technical meetings with the EP for Chapter III

Delegations will find, attached, comments from **AUSTRIA** on the above mentioned subject.

AT comments on Art.6 of Chapter III (ST11637/21 ADD1 REV2)

Article 6

In general, AT does not see any improvement regarding the discussion about one or two certificates. The EP proposals referring to one certificate consisting of 2 parts with different processes are a disguised approach to re-introduce two certificates.

118, 119; 123, 124a, 129a	The EP counterproposal not acceptable as it again alludes to 2 parts and to 2 different issuing authorities. The wording must ensure that NSA and NCA can be the same authority and that there is only one integrated certificate. Refer also to the general statement above.
121	AT supports the compromise text
122	AT supports the PCY compromise proposal of an amended Regulation (EU) 2018/1139. The text proposed by the EP is not acceptable as the introduction of Delegated Acts (in the EASA NBR) is not acceptable. The General Approach for the EASA NBR fully describes the conditions and the possibility to modify them through Implementing Acts. There is no need for Delegated Acts.
125- 128	AT cannot support that the EC is authorised to lay down specific provisions for the activities of the NSA in relation to economic requirements of the certificate by implementing acts as it is proposed by the EP in lines 125 to 128
129	AT supports the General Approach, because it sets out clear rules by referring to the EASA BR. The EP text on the other hand is ambiguous; for example the provision “primarily aircraft movements other than general air traffic” is not well defined and cannot be assessed beforehand