

ANNEX II

Part Authority Requirements — Aerodromes (Part-ADR.AR)**SUBPART A — GENERAL REQUIREMENTS (ADR.AR.A)****ADR.AR.A.001 Scope**

This Annex establishes requirements for the Competent Authorities involved in the certification and oversight of aerodromes, aerodrome operators and apron management service providers.

ADR.AR.A.005 Competent Authority

The Competent Authority designated by the Member State in which an aerodrome is located shall be responsible for the:

- (a) certification and oversight of aerodromes and its aerodrome operators;
- (b) oversight of providers of apron management services.

ADR.AR.A.010 Oversight documentation

- (a) The Competent Authority shall provide the relevant legislative acts, standards, rules, technical publications and related documents to its relevant personnel in order to perform their tasks and to discharge their responsibilities.
- (b) The Competent Authority shall make available legislative acts, standards, rules, technical publications and related documents to aerodrome operators and other interested parties to facilitate their compliance with the applicable requirements.

ADR.AR.A.015 Means of compliance

- (a) The Agency shall develop Acceptable Means of Compliance (AMC) that may be used to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules. When the Acceptable Means of Compliance are complied with, the related requirements of the Implementing Rules are met.
- (b) Alternative means of compliance may be used to establish compliance with the Implementing Rules.
- (c) The Competent Authority shall establish a system to consistently evaluate that the alternative means of compliance used by itself or by aerodrome operators or providers of apron management services under its oversight provide for compliance with Regulation (EC) No 216/2008 and its Implementing Rules.
- (d) The Competent Authority shall evaluate the alternative means of compliance proposed by an aerodrome operator or a provider of apron management services, in accordance with ADR.OR.A.015, by analysing the documentation provided and, if considered necessary, conducting an inspection of the aerodrome operator, the aerodrome or the provider of apron management services.

When the Competent Authority finds that the alternative means of compliance proposed by the aerodrome operator or the provider of apron management services are in accordance with the Implementing Rules, it shall without undue delay:

- (1) notify the applicant that the alternative means of compliance may be implemented and, if applicable, amend the certificate or approval of the applicant accordingly;
- (2) inform the Agency of their content, including copies of the relevant documentation;
- (3) inform other Member States about alternative means of compliance that were accepted; and

- (4) inform the other certified aerodromes located in the Member State of the Competent Authority, as appropriate.
- (e) When the Competent Authority itself uses alternative means of compliance to achieve compliance with Regulation (EC) No 216/2008 and its Implementing Rules, it shall:
 - (1) make them available to aerodrome operators and providers of apron management services under its oversight; and
 - (2) without undue delay notify the Agency.

The Competent Authority shall provide the Agency with a full description of the alternative means of compliance, including any revisions to procedures that may be relevant, as well as an assessment demonstrating that the Implementing Rules are met.

ADR.AR.A.025 Information to the Agency

- (a) The Competent Authority shall without undue delay notify the Agency in case of any significant problems with the implementation of Regulation (EC) No 216/2008 and its Implementing Rules.
- (b) The Competent Authority shall provide the Agency with safety-significant information stemming from the occurrence reports it has received.

ADR.AR.A.030 Immediate reaction to a safety problem

- (a) Without prejudice to Directive 2003/42/EC of the European Parliament and the Council⁽¹⁾, the Competent Authority shall implement a system to appropriately collect, analyse and disseminate safety information.
- (b) The Agency shall implement a system to appropriately analyse any relevant safety information received and without undue delay provide to Member States and the Commission any information, including recommendations or corrective actions to be taken, necessary for them to react in a timely manner to a safety problem involving aerodromes, aerodrome operators and providers of apron management services subject to Regulation (EC) No 216/2008 and its Implementing Rules.
- (c) Upon receiving the information referred to in points (a) and (b), the Competent Authority shall take adequate measures to address the safety problem, including the issuing of safety directives in accordance with ADR.AR.A.040.
- (d) Measures taken in accordance with point (c) shall immediately be notified to the aerodrome operators or providers of apron management services which need to comply with them under Regulation (EC) No 216/2008 and its Implementing Rules. The Competent Authority shall also notify those measures to the Agency and, when combined action is required, the other Member States concerned.

ADR.AR.A.040 Safety directives

- (a) The Competent Authority shall issue a safety directive if it has determined the existence of an unsafe condition requiring immediate action, including the showing of compliance with any amended or additional certification specification established by the Agency, which the Competent Authority finds is necessary.
- (b) A safety directive shall be forwarded to the aerodrome operators or providers of apron management services concerned, as appropriate, and shall contain, as a minimum, the following information:
 - (1) the identification of the unsafe condition;

- (2) the identification of the affected design, equipment, or operation;
- (3) the actions required and their rationale, including the amended or additional certification specifications that have to be complied with;
- (4) the time limit for compliance with the required actions; and
- (5) its date of entry into force.
- (c) The Competent Authority shall forward a copy of the safety directive to the Agency.
- (d) The Competent Authority shall verify the compliance of aerodrome operators and providers of apron management services with the applicable safety directives.

Status: This is the original version (as it was originally adopted).

(1) OJ L 167, 4.7.2003, p. 23.