

## ROADMAP

<b>TITLE OF THE INITIATIVE</b>	<b>Commission Implementing Decision amending Commission Decision C(2010) 774 as regards clarification, harmonisation and simplification of aviation security measures</b>		
<b>LEAD DG – RESPONSIBLE UNIT</b>	DG MOVE UNIT A2	<b>DATE OF ROADMAP</b>	02 / 2015
<b>This indicative roadmap is provided for information purposes only and is subject to change. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.</b>			

### A. Context and problem definition

<p>(1) What is the political context of the initiative?</p> <p>(2) How does it relate to past and possible future initiatives, and to other EU policies?</p> <p>(3) What ex-post analysis of existing policy has been carried out? What results are relevant for this initiative?</p>
<p>(1) This initiative complies with the "strengthened Better Regulation" objective that is embedded in President Juncker's first priority of providing a new boost for jobs, growth and investment. Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security requires the Commission to adopt detailed measures for the implementation of the common basic standards on aviation security via comitology procedure. Those measures that are considered to be security sensitive information and can therefore not be published are contained in Commission Decision C(2010) 774 of 13 April 2010 laying down detailed measures for the implementation of the common basic standards on aviation security which is directly addressed to all Member States. These measures are complementary to the measures contained in Commission Regulation (EU) No 185/2010 that are not considered security sensitive information and therefore published. Based on the experience with implementing the common basic standards, the implementing measures contained in both legal acts are regularly clarified, harmonised or simplified in order to improve legal clarity, so as to avoid diverging interpretations of the legislation and further ensure the best Implementation of the common basic standards on aviation security. In addition, amendments were adopted to take account of new threats and technology developments. Commission Decision C(2010) 774 and Commission Regulation (EU) No 185/2010 were therefore amended 19 and 20 times respectively since they entered into force in 2010. As a general rule legislation should be consolidated. In order to improve accessibility and legal clarity it is therefore necessary to re-issue these legal acts including all previously adopted amendments and at the same time include a limited number of new amendments stemming from the regular review of its implementation. Due to the distinct nature of these two legal acts this roadmap only covers the re-issue of Commission Decision C(2010) 774. The re-issue of Commission Regulation (EU) No 185/2010 is covered by a separate roadmap.</p> <p>(2) The initiative will consolidate all previous amendments to Commission Decision C(2010) 774 adopted on the basis of Regulation (EC) No 300/2008 and ensure it is further clarified, harmonised and simplified.</p> <p>(3) The initiative is based on the regular review of the existing implementing measures on aviation security through Commission inspections and risk mitigation assessments carried out with Member States and stakeholders.</p>
What are the main problems which this initiative will address?
<p>(1) The detailed implementing measures on aviation security contained in Commission Decision C(2010) 774 have been amended 19 times and the legal requirements are therefore scattered over 20 legal acts which complicates accessibility and legal clarity.</p> <p>(2) The regular review of these measures based on experience with its implementation has shown the need to introduce a limited number of amendments to further clarify, harmonise and simplify them.</p>
Who will be affected by it?
Member States, airports, operators and entities implementing or being responsible for the implementation of the common basic standards in the field of aviation security.
Is EU action justified on grounds of subsidiarity? Why can Member States not achieve the objectives of the proposed action sufficiently by themselves? Can the EU achieve the objectives better?
Yes. The initiative concerns an implementing act that is based on a Framework Regulation that already established the necessity for common EU standards in the field of aviation security.

B. Objectives of the initiative
What are the main policy objectives?
(1) To consolidate the initial Decision and subsequent 19 amendments in a single legal act (2) To further clarify, harmonise and simplify the detailed implementing measures on aviation security based on the regular review of the existing measures
Do the objectives imply developing EU policy in new areas?
No

  

C. Options
(1) What are the policy options (including exemptions/adapted regimes e.g. for SMEs) being considered? (2) What legislative or 'soft law' instruments could be considered? (3) How do the options respect the proportionality principle?
(1) There are three policy options: a) Do nothing. This implies that the above outlined problems remain b) Limit the initiative to the regular amendment of the detailed implementing measures based on their review. This option would fulfil the legal requirement stemming from the Framework Regulation (EC) No 300/2008 but not improve accessibility c) Re-issue Commission Decision C(2010) 774 to include all previous amendments in a single legal act and at the same time include a limited number of amendments to further clarify, harmonise and simplify the detailed implementing measures on aviation security based on the regular review of the existing measures (2) Framework Regulation (EC) No 300/2008 foresees that detailed implementing measures must be adopted through Comitology (3) Options b) and c) are within the scope of proportionate actions necessary to achieve the objectives of Framework Regulation (EC) No 300/2008

  

D. Initial assessment of impacts
What are the benefits and costs of each of the policy options?
None of the policy options would incur additional costs. The aim of the initiative being to improve accessibility, clarity, harmonisation and simplification it will benefit those that need to implement the common basic standards on aviation security while retaining a high level of security in the Union. By having all aviation security measures that are considered security sensitive information and therefore not published in a consolidated legal act, option c) will simplify the task for Member States to make available the appropriate parts of this decision to concerned operators and entities on a 'need to know' basis.
Could any or all of the options have significant impacts on (i) simplification, (ii) administrative burden and (iii) on relations with other countries, (iv) implementation arrangements? And (v) could any be difficult to transpose for certain Member States?
Option a) remaining the status quo does not have an impact on any of the above. Option b) and even more so option c) would have a positive impact on simplification and clarity. These options would also require that Member States update their national aviation security programme.
(1) Will an IA be carried out for this initiative and/or possible follow-up initiatives? (2) When will the IA work start? (3) When will you set up the IA Steering Group and how often will it meet? (4) What DGs will be invited?
This initiative does not require a formal impact assessment as it does not introduce any changes of significant impact but mainly aims at improving clarity, harmonisation and simplification through re-issuing the Commission Decision. The limited number of changes to some of the implementing measures on aviation security are based on the regular review of the existing measures through Commission inspections and risk mitigation assessments carried out with Member States and stakeholders.
(1) Is any option likely to have impacts on the EU budget above € 5m?

(2) If so, will this IA serve also as an ex-ante evaluation, as required by the Financial Regulation? If not, provide information about the timing of the ex-ante evaluation.
No

### **E. Evidence base, planning of further work and consultation**

<p>(1) What information and data are already available? Will existing IA and evaluation work be used?</p> <p>(2) What further information needs to be gathered, how will this be done (e.g. internally or by an external contractor), and by when?</p> <p>(3) What is the timing for the procurement process &amp; the contract for any external contracts that you are planning (e.g. for analytical studies, information gathering, etc.)?</p> <p>(4) Is any particular communication or information activity foreseen? If so, what, and by when?</p>
<p>(1) The Commission through its inspections and the regular meetings with the stakeholder advisory group on aviation security (SAGAS) and a working group has considerable data and information on the implementation of the common basic standards on aviation security as well as risk mitigation assessments relating to the implementing measures.</p> <p>(2) Further feedback from Member States and stakeholders needs to be collected on some implementing measures. This will be done through working group meetings as well as in the framework of the regulatory committee on aviation security and its stakeholder advisory group.</p> <p>(3) n/a</p> <p>(4) no</p>
Which stakeholders & experts have been or will be consulted, how, and at what stage?
Some further working group meetings involving Member State Representatives and Stakeholders that are represented in the stakeholder advisory group on aviation security (SAGAS) set up on the basis of Article 17 of Regulation (EC) No 300/2008 are planned for the first 2 quarters of 2015.