

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2020/1234

of 9 June 2020

amending Regulation (EU) No 139/2014 as regards the conditions and procedures for the declaration by organisations responsible for the provision of apron management services

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ⁽¹⁾, and in particular Article 39(1) thereof,

Whereas:

- (1) Commission Regulation (EU) No 139/2014 ⁽²⁾ lays down requirements and administrative procedures related to aerodromes and to the provision of apron management service ('AMS'). However, that Regulation contains a limited number of provisions addressing the safe provision of that service. A dedicated set of additional requirements, as a subpart of aerodrome operations, should therefore be provided.
- (2) Annex II (Part-ADR.AR) of Regulation (EU) No 139/2014 is laying down requirements for management and oversight of organisations by competent authorities. This Annex should be amended to give to the competent authority of the Member State where the AMS is provided, the powers to receive and register the declarations of capability submitted by organisations responsible for the providing of apron management services.
- (3) In order to ensure a high level of safety at an aerodrome, the requirements for organisations responsible for the provision of AMS should be aligned with those applicable to aerodrome operators and in particular with the requirements for safety management, operational procedures and personnel.
- (4) Requirements for the management of safety-related interfaces between the aerodrome operator, the organisations responsible for the provision of AMS and the air traffic service provider with regard to operations on the apron should also be provided for.
- (5) In order to contribute to the safety of operations on an apron, specific operational procedures applicable to the aerodrome operator should be provided for. The aerodrome operator should be allowed to allocate responsibilities to other organisations.
- (6) The European Union Aviation Safety Agency has prepared draft rules and submitted them with Opinion No 2/2014 ⁽³⁾ in accordance with points (b) and (c) of Article 75(2) and with Article 76(1) of Regulation (EU) 2018/1139,

⁽¹⁾ OJ L 212, 22.8.2018, p. 1.

⁽²⁾ Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 44, 14.2.2014, p. 1).

⁽³⁾ <https://www.easa.europa.eu/document-library/opinions>

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 139/2014 is amended as follows:

(1) Article 1 is amended as follows:

(a) in paragraph 1, point (h) is replaced by the following:

‘(h) conditions and procedures for the declaration by and for the oversight of organisations responsible for the provision of apron management services referred to in Article 37(2) of Regulation (EU) 2018/1139 of the European Parliament and of the Council (*) as set out in Annexes II and III.

(*) Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).;

(b) paragraph 3 is replaced by the following:

‘3. Aerodrome operators and organisations responsible for providing apron management service shall comply with the requirements laid down in Annexes III and IV.’;

(c) paragraph 4 is deleted;

(2) Article 3 is amended as follows:

(a) the title is replaced by the following:

‘Oversight’;

(b) paragraph 1 is replaced by the following:

‘1. Member States shall designate one or more entities as the Competent Authority(ies) within that Member State with the necessary powers and responsibilities for the certification and oversight of aerodromes and aerodrome operators, receiving declarations and oversight of providers of apron management service, as well as personnel involved therein.’;

(3) in Article 11, paragraph 5 is deleted;

(4) Annex II is amended in accordance with Annex I to this Regulation;

(5) Annex III is amended in accordance with Annex II to this Regulation;

(6) Annex IV is amended in accordance with Annex III to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 20 March 2022.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 June 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex II (Part-ADR.AR) to Regulation (EU) No 139/2014 is amended as follows:

- (1) point ADR.AR.A.001 is replaced by the following:

'ADR.AR.A.001 Scope

This Annex establishes requirements for the Competent Authorities responsible for:

- (a) the certification and oversight of aerodromes and aerodrome operators;
- (b) receiving declarations of capability and availability of the means to discharge the responsibilities by the organisations responsible for the provision of apron management services and their oversight.;

- (2) in point ADR.AR.A.005, point (b) is replaced by the following:

'(b) receiving declarations of capability and availability of the means to discharge the responsibilities by the organisations responsible for the provision of apron management services and their oversight.;

- (3) in point ADR.AR.A.010, point (b) is replaced by the following:

'(b) The Competent Authority shall make available legislative acts, standards, rules, technical publications and related documents to aerodrome operators, organisations responsible for the provision of AMS and other interested parties to facilitate their compliance with the applicable requirements.;

- (4) point ADR.AR.A.015(d) is amended as follows:

- (a) the first paragraph is replaced by the following:

'(d) The Competent Authority shall evaluate the alternative means of compliance proposed by an aerodrome operator or an organisation responsible for the provision of AMS, in accordance with point ADR.AR.A.015, by analysing the documentation provided and, if considered necessary, conducting an inspection of the aerodrome operator, the aerodrome or the organisation responsible for the provision of AMS.;

- (b) in the second paragraph, point (4) is replaced by the following:

'(4) inform the certified aerodromes and the organisation responsible for the provision of AMS under its oversight, as appropriate.;

- (5) point ADR.AR.A.030 is amended as follows:

- (a) point (a) is replaced by the following:

'(a) The Competent Authority shall implement a system to appropriately collect, analyse and disseminate safety information in accordance with Regulation (EU) No 376/2014 of the European Parliament and of the Council (*).

(* Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18).;

- (b) point (d) is replaced by the following:

'(d) Measures taken in accordance with point (c) shall immediately be notified to the aerodrome operators or organisations responsible for the provision of AMS which need to comply with them under Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof. The Competent Authority shall also notify those measures to the Agency and, when combined action is required, the other Member States concerned.;

- (c) the following point (e) is added:

'(e) Measures notified to an organisation responsible for the provision of AMS shall also be notified to the operator of the aerodrome where the service is provided.;

- (6) in point ADR.AR.A.040, the following point (e) is added:

'(e) Safety directives notified to the organisation responsible for the provision of AMS shall also be notified to the operator of the aerodrome where the service is provided.;

- (7) in point ADR.AR.B.005, point (c) is replaced by the following:
'(c) The Competent Authority shall establish procedures for participation in a mutual exchange of all necessary information and assistance with other competent authorities concerned, including information on all findings raised, corrective follow-up actions taken in response to such findings, and enforcement measures taken as a result of oversight of the organisation responsible for the provision of AMS registered in more than one Member State.';
- (8) in point ADR.AR.B.020(a), point (11) is replaced by the following:
'(11) the use of flexibility provisions in accordance with Article 71 of Regulation (EU) 2018/1139.';
- (9) in point ADR.AR.C.005(a), point (2) is replaced by the following:
'(2) continued compliance with the certification basis and applicable requirements of aerodromes and aerodrome operators or organisations responsible for the provision of AMS; and';
- (10) point ADR.AR.C.010 is amended as follows:
(a) in point (a), the introductory phrase is replaced by the following:
'(a) The Competent Authority shall for each aerodrome operator and organisation responsible for the provision of AMS:';
(b) point (c) is replaced by the following:
'(c) The oversight programme and planning cycle shall reflect the safety performance of the aerodrome operator or the organisation responsible for the provision of AMS respectively, as well as the risk exposure of the aerodrome.';
- (11) in point ADR.AR.C.040, the title is replaced by the following:
'ADR.AR.C.040 Changes – aerodrome operator';
- (12) point ADR.AR.C.050 is replaced by the following:
'ADR.AR.C.050 Declaration of organisations responsible for the provision of AMS and notification of a change
(a) Upon receiving a declaration from an organisation responsible for the provision of AMS that intends to provide such a service at an aerodrome, or upon receiving a notification of a change to the information contained in the declaration, the Competent Authority shall acknowledge receipt of the declaration or the notification of a change, and shall verify that the declaration or the notification contains all the information required by Annex III (Part-ADR.OR).
(b) If the declaration or the notification of a change does not contain all the information required under point ADR.OR.F.005 of Annex III, or contains information that is not in accordance with the applicable requirements, the Competent Authority shall notify the organisation responsible for the provision of AMS and the aerodrome operator where such service is provided about the non-compliance and request further information. If deemed necessary the competent authority shall carry out an inspection of the organisation. If the non-compliance is confirmed, the Competent Authority shall take action as defined in point ADR.AR.C.055 of this Annex.
(c) The Competent Authority shall keep a register of the declarations and of the notifications of a change of the organisation responsible for the provision of AMS under its oversight.';
- (13) in point ADR.AR.C.055, the following point (f) is added:
'(f) Any findings issued with regard to an organisation responsible for the provision of AMS or any observations made to the organisation responsible for the provision of AMS shall be notified by the Competent Authority to the operator of the aerodrome where such service is provided.'
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ANNEX II

Annex III to Regulation (EU) No 139/2014 is amended as follows:

- (1) the title of Annex III is replaced by the following:
'Part Organisation Requirements (Part-ADR.OR)';
- (2) the title of Subpart B is replaced by the following:
'SUBPART B – CERTIFICATION – AERODROMES AND AERODROME OPERATORS (ADR.OR.B)';
- (3) point ADR.OR.B037 is deleted;
- (4) point ADR.OR.B060 is deleted;
- (5) the following point ADR.OR.B.070 is added:
'ADR.OR.B.070 Termination of the provision of apron management service
The aerodrome operator shall:
 - (a) take appropriate measures to ensure that safety risks that result from the termination of operation have been assessed and mitigated;
 - (b) provide information on the measures referred to in point (a) to the appropriate aeronautical information service provider.';
- (6) in point ADR.OR.C.015, the introductory phrase is replaced by the following:
'For the purpose of determining compliance with the relevant requirements in Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, an aerodrome operator shall grant access to any person authorised by the Competent Authority to:';
- (7) in point ADR.OR.C.020, the introductory phrase is replaced by the following:
'After receipt of a notification of findings, the aerodrome operator shall:';
- (8) point ADR.OR.C.025 is replaced by the following:
'ADR.OR.C.025 Immediate reaction to a safety problem – compliance with safety directives
The aerodrome operator shall implement any safety measures, including safety directives, taken by the Competent Authority in accordance with points ADR.AR.A.030(c) and ADR.AR.A.040 of Annex II.';
- (9) point ADR.OR.C.030 is amended as follows:
 - (a) point (a) is replaced by the following:
'(a) The aerodrome operator shall report to the Competent Authority and to any other organisation required by the State where the aerodrome is located, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and the Council (*) and Regulation (EU) No 376/2014.

(*) Regulation (EU) No 996/2010 of the European Parliament and the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC (OJ L 295, 12.11.2010, p. 35).';
 - (b) points (d) and (e) are replaced by the following:
 - (d) Reports shall be made by the aerodrome operator within 72 hours of becoming aware of the occurrence to which the report relates, unless exceptional circumstances prevent this.
 - (e) Where relevant, the aerodrome operator shall produce a follow-up report to provide details of actions it intends to take to prevent similar occurrences in the future, as soon as those actions have been identified. That report shall be produced in a form and manner established by the Member State.';
- (10) the title of Subpart D is replaced by the following:
'SUBPART D – MANAGEMENT – AERODROME OPERATORS (ADR.OR.D)';
- (11) the following Subpart F is added:
'SUBPART F – APRON MANAGEMENT SERVICE (ADR.OR.F)
ADR.OR.F.001 Responsibilities of the organisation responsible for the provision of AMS
The organisation responsible for the provision of AMS shall provide the apron management service in accordance with:
 - (a) the requirements set out in Annex VII to Regulation (EU) 2018/1139 and in Annex III (Part-ADR.OR) and Annex IV (Part-ADR.OPS) to this Regulation;

- (b) its declaration;
- (c) the operating procedures included in the aerodrome manual;
- (d) its management system manual in accordance with ADR.OR.F.095;
- (e) any other manuals used for the provision of apron management service.

ADR.OR.F.005 Declaration of the organisation responsible for the provision of AMS

- (a) When an organisation responsible for the provision of AMS intends to provide guidance to aircraft as laid down in points a(1) and a(2) of point ADR.OPS.D.001 as a minimum, it shall submit a declaration to the Competent Authority at least 2 months before the date of the intended start of the provision of the service. The declaration shall contain the following information:
 - (1) the name of the organisation responsible for the provision of AMS;
 - (2) contact details of the organisation responsible for the provision of AMS;
 - (3) name and contact details of the accountable manager;
 - (4) the name(s) of the aerodrome(s) in the Member State where the service will be provided;
 - (5) a list of aerodromes located in other Member States where the service is provided;
 - (6) the date of the intended start of the provision of the apron management service;
 - (7) a statement that confirms that it has established formal arrangements with the aerodrome operator and the air traffic service provider at the aerodrome where it intends to provide the apron management service;
 - (8) a statement that confirms that the organisation responsible for the provision of AMS has developed a safety policy and will apply that policy during the provision of the service covered by the declaration, in accordance with point ADR.OR.F.045(b)(2);
 - (9) a statement that confirms that the organisation responsible for the provision of AMS complies and will, during the provision of the service covered by the declaration, continue to comply with the applicable requirements of Annex VII to Regulation (EU) 2018/1139 and Annex III (Part-ADR.OR) and Annex IV (Part-ADR.OPS) to this Regulation;
- (b) By derogation from point (a), when a certified aerodrome operator or an approved air traffic services provider intends to provide apron management service, it shall:
 - (1) notify its Competent Authority;
 - (2) revise its safety policy to include the provision of apron management service;
 - (3) submit to the Competent Authority the training programme of the personnel intended to be used for the provision of the service.

ADR.OR.F.010 Continued validity of the declaration

A declaration made by an organisation responsible for the provision of AMS in accordance with point ADR.OR.F.005 shall remain valid subject to the following conditions:

- (a) the organisation responsible for the provision of AMS is compliant with the requirements set out in Annex VII to Regulation (EU) 2018/1139 and in Annex III (Part-ADR.OR) and Annex IV (Part-ADR.OPS) to this Regulation, taking into account the provisions related to the handling of findings as specified under point ADR.OR.F.035 of this Annex;
- (b) the Competent Authority is granted access to the organisation responsible for the provision of AMS in accordance with point ADR.OR.F.030 of this Annex to determine continued compliance with the requirements set out in Annex VII to Regulation (EU) 2018/1139 and in Annex III (Part-ADR.OR) and Annex IV (Part-ADR.OPS) to this Regulation;
- (c) the declaration has not been withdrawn by the organisation responsible for the provision of AMS or been notified by the Competent Authority to cease some or all services covered by the declaration.

ADR.OR.F.015 Start of the provision of apron management service

An organisation responsible for the provision of AMS shall start the provision of apron management service at an aerodrome, when:

- (a) the declaration has been received by the Competent Authority;

- (b) it has established formal arrangements with the certified aerodrome operator and the approved air traffic service provider at the aerodrome where the service will be provided in accordance with points ADR.OR.F.085 and ADR.OR.F.090 respectively;
- (c) it provides evidence that its personnel have completed the required initial and unit training.

ADR.OR.F.020 Termination of the provision of apron management service

An organisation responsible for the provision of AMS that intends to terminate permanently the provision of the service at an aerodrome shall:

- (a) notify the aerodrome operator and the Competent Authority, as soon as possible, so as to enable appropriate measures to be taken for the safe continuation of the service;
- (b) submit to the Competent Authority an amended declaration or request de-registration of the declaration, upon the date of termination of the provision of the service.

ADR.OR.F.025 Changes

- (a) The organisation responsible for the provision of AMS shall coordinate with the aerodrome operator any changes to the information contained in the declaration specified in point ADR.OR.F.005(a) and to the training programme or the management system manual respectively referred to in point ADR.OR.F.005(b) and point ADR.OR.F.095.
- (b) The organisation responsible for the provision of AMS shall notify without undue delay the Competent Authority of any changes specified in point (a) and, if necessary, submit an amended declaration.
- (c) The organisation responsible for the provision of AMS shall provide the Competent Authority with the relevant documentation in accordance with point (d).
- (d) As part of its management system referred to in point ADR.OR.F.045, the organisation responsible for the provision of AMS that proposes a change to its organisation, its management system or its training programme shall:
 - (1) determine the interdependences with any affected parties, and plan and conduct a safety assessment in coordination with these organisations;
 - (2) align assumptions and mitigations with any affected parties in a systematic way;
 - (3) ensure a comprehensive assessment of the change including any necessary interactions;
 - (4) ensure that complete and valid arguments, evidence and safety criteria are established and documented to support the safety assessment, and that the change supports the improvement of safety whenever reasonably practicable.

ADR.OR.F.030 Access

For the purpose of determining whether an organisation responsible for the provision of AMS is acting in accordance with its declaration, the organisation responsible for the provision of AMS shall ensure that any person duly authorised by the Competent Authority, at any time:

- (a) is granted access to any facility, document, records, data, procedures or any other material relevant to its activity;
- (b) is allowed to perform or witness any action, inspection, test, assessment or exercise the Competent Authority finds necessary.

ADR.OR.F.035 Findings and corrective actions

- (a) After the Competent Authority has communicated a finding to an organisation responsible for the provision of AMS in accordance with point ADR.AR.C.055 of Annex II, the organisation responsible for the provision of AMS shall take the following steps within the time period determined by the Competent Authority:
 - (1) identify the root cause of the non-compliance;
 - (2) define a corrective action plan;
 - (3) demonstrate the corrective action implementation to the satisfaction of the Competent Authority within the time period agreed with that authority in accordance with point ADR.AR.C.055(d) of Annex II.
- (b) The organisation responsible for the provision of AMS shall inform the aerodrome operator of the actions detailed in point (a) and, where appropriate, coordinate such actions with the aerodrome operator.

ADR.OR.F.040 Immediate reaction to a safety problem – compliance with safety directives

An organisation responsible for the provision of AMS shall:

- (a) implement any safety measures, including safety directives, taken by the Competent Authority in accordance with points ADR.AR.A.030(c) and ADR.AR.A.040 of Annex II;
- (b) when implementing the measures referred to in point (a), coordinate with the aerodrome operator and the air traffic service provider, where necessary.

ADR.OR.F.045 Management system

- (a) The organisation responsible for the provision of AMS, the aerodrome operator or the air traffic service provider, when the latter is partially or exclusively providing apron management services, shall implement and maintain a management system that integrates a safety management system that also covers those activities.
- (b) The management system shall include:
 - (1) clearly defined lines of responsibility and accountability throughout the organisation, including a direct accountability for safety on the part of the senior management;
 - (2) a description of the overall philosophies and principles of the organisation responsible for the provision of AMS with regard to safety, referred to as the safety policy, signed by the accountable manager;
 - (3) a formal process that ensures that hazards in operations are identified;
 - (4) a formal process that ensures analysis, assessment and mitigation of the safety risks in the provision of apron management service;
 - (5) the means to verify the safety performance of the organisation responsible for the provision of AMS in reference to the safety performance indicators and safety performance targets of the safety management system, and to validate the effectiveness of safety risk controls;
 - (6) a formal process to:
 - (i) identify changes within the organisation, its management system, or the provision of apron management service which may affect established processes, procedures and services;
 - (ii) describe the arrangements to ensure safety performance before implementing changes;
 - (iii) eliminate or modify safety risk controls that are no longer needed or effective due to changes in the operational environment;
 - (7) a formal process to review the management system referred to in point (a), identify the cause(s) of substandard performance of the safety management system, determine the implications of such substandard performance in operations, and eliminate or mitigate such cause(s);
 - (8) a safety training programme that ensures that personnel involved in the provision of apron management service are trained and competent to perform the safety management duties;
 - (9) formal means for safety communication that ensures that personnel are fully aware of the safety management system, conveys safety-critical information, and explains why particular safety actions are taken and why safety procedures are introduced or changed;
 - (10) a formal process to monitor the compliance of the organisation with the relevant requirements.
- (c) The organisation responsible for the provision of AMS shall document all management system key processes in a manual.

ADR.OR.F.050 Reporting malfunctions of systems used for the provision of apron management services

Without prejudice to Regulations (EU) No 376/2014, the organisation responsible for the provision of AMS shall report to the Competent Authority of the State where the aerodrome is located, to the aerodrome operator and to the organisation responsible for the design of any aerodrome equipment used for the provision of apron management service, any malfunction, technical defect, exceeding of technical limitations, occurrence or other irregular circumstance that has or may have endangered safety and that has not resulted in an accident or a serious incident.

ADR.OR.F.055 Safety reporting system

- (a) The organisation responsible for the provision of AMS shall establish and implement a safety reporting system for its personnel.
- (b) As part of the process referred to in point ADR.OR.F.045(b)(3), the organisation responsible for the provision of AMS shall ensure that:
 - (1) its personnel use the safety reporting system for the mandatory reporting of any accident, serious incident and occurrence;
 - (2) the safety reporting system may be used for the voluntary reporting of any defect, fault and safety hazard which could impact safety.
- (c) The safety reporting system shall protect the identity of the reporter, encourage voluntary reporting and include the possibility that reports may be submitted anonymously.
- (d) The organisation responsible for the provision of AMS shall:
 - (1) record all reports submitted;
 - (2) transmit the reports to the aerodrome operator, and, if relevant, to the air traffic service provider;
 - (3) in cooperation with the aerodrome operator or the air traffic service provider, or both, analyse and assess the reports, in order to address safety deficiencies and identify trends;
 - (4) participate in the investigation of the reports conducted by the aerodrome operator, as appropriate;
 - (5) refrain from attribution of blame in line with the “just culture” principles.

ADR.OR.F.060 Safety programmes

The organisation responsible for the provision of AMS shall participate in the safety programmes established by the aerodrome operator.

ADR.OR.F.065 Personnel requirements

- (a) The organisation responsible for the provision of AMS shall:
 - (1) appoint an accountable manager, who has the authority to ensure that all activities can be financed and carried out in accordance with the applicable requirements. The accountable manager shall be responsible for establishing and maintaining an effective management system;
 - (2) nominate a person responsible for the management and supervision of operational services related to apron management;
 - (3) nominate a person responsible for the development, maintenance and day-to-day management of the safety management system. That person shall act independently of other managers within the organisation, shall have direct access to the accountable manager and to appropriate management for safety matters, and shall be responsible to the accountable manager;
 - (4) have sufficient and qualified personnel for the planned tasks and activities to be performed in accordance with the applicable requirements;
 - (5) assign a sufficient number of personnel supervisors to defined duties and responsibilities, taking into account the structure of the organisation and the number of personnel employed;
 - (6) ensure that personnel involved in the provision of apron management service are adequately trained in accordance with the training programme.
- (b) In the case that the aerodrome operator or the air traffic service provider are partially or exclusively providing apron management service, they shall ensure that the requirements of point (a) are included in their established allocation of responsibilities within their management systems.

ADR.OR.F.075 Use of alcohol, psychoactive substances and medicines

The organisation responsible for the provision of AMS shall implement the procedures established by the aerodrome operator in accordance with point ADR.OR.C.045 with regard to the consumption of alcohol, psychoactive substances and medicines by its personnel involved in the provision of apron management service.

ADR.OR.F.080 Record-keeping

- (a) The organisation responsible for the provision of AMS shall establish an adequate record-keeping system that covers all its activities undertaken in accordance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.
- (b) The format of the records shall be specified in the management system manual.

- (c) Records shall be stored in a manner that ensures protection from damage, alteration and theft.
- (d) Records shall be kept for a minimum of 5 years, except that:
 - (1) the current declaration shall be kept for the lifespan of the declaration;
 - (2) written agreements with other organisations shall be kept for as long as such agreements are in effect;
 - (3) safety assessment reports shall be kept for the lifetime of the system, procedure or activity;
 - (4) personnel training, qualifications, as well as their proficiency checks shall be kept for at least 4 years after the end of their employment, or until the area of their employment has been audited by the Competent Authority;
- (e) The organisation responsible for the provision of AMS shall establish and maintain a hazard register.

ADR.OR.F.085 Formal arrangement between the organisation responsible for the provision of AMS and the aerodrome operator

- (a) The organisation responsible for the provision of AMS shall have a formal arrangement with the operator of the aerodrome where it intends to provide apron management service.
- (b) The arrangement shall be concluded prior to the start of the provision of the service.
- (c) The formal arrangement shall include as a minimum the following:
 - (1) duration of the arrangement;
 - (2) definition of the area where apron management service will be provided;
 - (3) list of the services that will be conducted by the organisation responsible for the provision of AMS;
 - (4) methods of exchanging operational information between the aerodrome operator and the organisation responsible for the provision of AMS.

ADR.OR.F.090 Formal arrangement between the organisation responsible for the provision of AMS and the air traffic service provider

- (a) The organisation responsible for the provision of AMS shall have a formal arrangement with the air traffic service provider of the aerodrome where it intends to provide apron management service.
- (b) The arrangement shall be concluded prior to the start of the provision of the service.
- (c) The formal arrangement shall include as a minimum the following:
 - (1) duration of the arrangement;
 - (2) scope of services to be provided, including coordination of start-up clearances, taxi and push-back of aircraft;
 - (3) handover points between apron management service and air traffic service provider;
 - (4) methods of exchanging operational information between the air traffic service provider and the organisation responsible for the provision of AMS;
 - (5) coordination of start-up clearances, taxi and push-back of aircraft.

ADR.OR.F.095 Management system manual

- (a) The organisation responsible for the provision of AMS shall:
 - (1) establish and maintain a management system manual;
 - (2) ensure that its personnel have easy access to the manual and are made aware of any changes;
 - (3) after consultation and in coordination with the aerodrome operator, supply the Competent Authority with the intended amendments and revisions of the manual in advance of the effective date;
 - (4) review the content of the manual, ensure that it is kept up to date and amended, whenever necessary;
 - (5) incorporate all amendments and revisions to the manual as required by the Competent Authority;
 - (6) make other organisations concerned aware of the changes that are relevant to their duties.
 - (7) ensure that any information taken from other approved documents, and any amendment thereof, is correctly reflected in the manual;

- (8) ensure that the manual is written in a language acceptable to the Competent Authority;
 - (9) ensure that all personnel are able to read and understand the language in which those parts of the manual and other documents pertaining to their duties and responsibilities are written;
 - (10) ensure that the manual is signed by the accountable manager of the organisation;
 - (11) ensure that the manual is printed or is in electronic format and is easy to revise;
 - (12) ensure that the manual has a system for version control management which is applied and made visible in the manual;
 - (13) ensure that the manual observes human factors principles and is organised in a manner that facilitates its preparation, use and review;
 - (14) keep at least one complete and current copy of the manual at the aerodrome where it provides service, and make it available for inspection by the Competent Authority.
- (b) The content of the manual shall be structured as follows:
- (1) general part;
 - (2) organisation's management system and qualification requirements.
- (c) In the case that the aerodrome operator or the air traffic service provider are partially or exclusively providing apron management service, they shall ensure that the relevant requirements in point (b) are included in the aerodrome manual or the air traffic service operations manual respectively.

ADR.OR.F.100 Documentation requirements

The organisation responsible for the provision of AMS shall:

- (a) make available the parts of the aerodrome manual related to the provision of apron management service to its operational personnel;
 - (b) make available of any other documentation required by the Competent Authority and associated amendments;
 - (c) disseminate operational instructions and other information without delay.
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ANNEX III

In Annex IV to Regulation (EU) No 139/2014, the following Subpart D is added:

‘SUBPART D – APRON MANAGEMENT OPERATIONS

ADR.OPS.D.001 Apron management safety related activities

- (a) The aerodrome operator shall ensure that means and procedures are established and implemented on the apron in order to:
- (1) regulate movement with the objective of preventing collisions between aircraft, and between aircraft and obstacles;
 - (2) regulate entry of aircraft into, and coordinate exit of aircraft from the apron with the aerodrome control tower;
 - (3) ensure safe and expeditious movement of vehicles;
 - (4) and appropriate regulation of the following activities:
 - (i) aircraft stand allocation;
 - (ii) provision of marshalling services;
 - (iii) aircraft parking procedure and departure from the stand;
 - (iv) aircraft refuelling;
 - (v) jet blast precautions and engine tests;
 - (vi) start up clearances and taxi instructions.
- (b) The aerodrome operator, in order to implement point (a) may allocate responsibilities to other organisations. If the aerodrome operator allocates such responsibilities, it shall include the allocation in the aerodrome manual.

ADR.OPS.D.005 Apron boundaries

- (a) The aerodrome operator, in cooperation with the air traffic service provider, shall define and provide the apron boundaries to the aeronautical information service provider for publication in the Aeronautical Information Publication (AIP).
- (b) When defining the apron boundaries, at least the following shall be taken into consideration:
- (1) aerodrome layout;
 - (2) runway and taxiway configuration and method of operation;
 - (3) traffic density;
 - (4) weather conditions;
 - (5) operational procedures.

ADR.OPS.D.010 Coordination of aircraft entry to/exit from the apron

- (a) The aerodrome operator shall ensure that the aircraft entry to and exit from the apron is coordinated with the air traffic services provider, where aircraft movement on the apron is not managed by the air traffic service provider. The coordination shall include:
- (1) designated handover points between apron management service and air traffic service for arriving and departing aircraft;
 - (2) designated air-ground communication facilities to be used at the apron;
 - (3) holding areas for arriving aircraft when aircraft stands are not available.
- (b) The aerodrome operator shall provide to the aeronautical information service providers for publication in the Aeronautical Information Publication (AIP):
- (1) the designated handover points referred to in point (a)(1);
 - (2) the designated air-ground communication facilities referred to in point (a)(2).

ADR.OPS.D.015 Management of aircraft movements on the apron

The aerodrome operator shall ensure that:

- (a) aircraft are provided with instructions on the route to be followed on the apron;

- (b) adequate visual aids are provided in order to ensure that flight crews are able to identify the assigned route;
- (c) the intended route is free of any obstacle that may risk collision with the moving aircraft.

ADR.OPS. D.025 Aircraft stand allocation

- (a) The aerodrome operator shall establish and ensure the implementation of procedures to ensure that the allocated aircraft stand is:
 - (1) suitable for the aircraft type intended to use it;
 - (2) communicated to the organisation responsible for the provision of AMS, when established, or to the appropriate air traffic service provider;
 - (3) communicated to the persons responsible for the manoeuvring of the aircraft.
- (b) The aerodrome operator shall ensure that, at least the following parameters are taken into consideration when allocating aircraft to aircraft stands:
 - (1) aircraft characteristics;
 - (2) parking aids;
 - (3) facilities serving the aircraft stand;
 - (4) vicinity of infrastructure;
 - (5) other parked aircraft in the neighbouring aircraft stands;
 - (6) aircraft stand dependencies.

ADR.OPS.D.030 Marshalling of aircraft

The aerodrome operator shall ensure that marshalling of aircraft is provided using the marshalling signals in accordance with Appendix 1 to the Annex to Commission Implementing Regulation (EU) No 923/2012 (*).

ADR.OPS.D.035 Aircraft parking

The aerodrome operator shall establish and ensure the implementation of procedures to ensure that:

- (a) an area designated for aircraft parking on an apron is monitored to ensure that the clearance distances are maintained during the parking manoeuvre;
- (b) guidance is provided to enable the aircraft to park safely;
- (c) automated parking guidance systems, if installed, are functioning properly;
- (d) persons responsible for aircraft taxiing are alerted to stop the aircraft when the clearance distances are not maintained;
- (e) persons, other than those required to assist the aircraft parking procedure, are prohibited to approach the aircraft when anti-collision lights are turned on and engines are running;
- (f) the aircraft stand is clear of any Foreign Object Debris (FOD) that may have an impact on safety.

ADR.OPS.D.040 Aircraft departure from the stand

The aerodrome operator shall establish and ensure the implementation of procedures to ensure that during the departure of an aircraft from the aircraft stand:

- (a) ground servicing equipment, excluding push-back trucks if required for the movement of aircraft, and vehicles have been removed from the aircraft stand or parked in designated areas;
- (b) if the aircraft stand is served by passenger boarding bridges, they have been retracted;
- (c) the designated exit route from the aircraft stand is free of foreign object debris (FOD);
- (d) vehicle movements on the stand and traffic on the adjacent road(s) have ceased, except for push-back trucks if required for the movement of aircraft;
- (e) persons, other than those required to assist the aircraft departure from the aircraft stand, are prohibited to approach the aircraft when anti-collision lights are turned on and engines are running.

ADR.OPS.D.045 Dissemination of information to organisations operating at the apron

- (a) The aerodrome operator shall disseminate information regarding limitations to operations on the apron in a timely manner to relevant organisations operating on the apron.

- (b) The information to be provided shall include the following, as applicable:
- (1) the type of the limitation;
 - (2) the duration of the limitation, if known;
 - (3) mitigation measures to be applied;
 - (4) the operational impact of the limitation;
 - (5) availability of aircraft stands;
 - (6) restrictions on aircraft stands;
 - (7) availability of fixed installations at aircraft stands;
 - (8) special parking procedures;
 - (9) temporary changes of driving routes;
 - (10) work in progress;
 - (11) any other information that has operational significance to the apron users.

ADR.OPS.D.050 Alerting of emergency services

- (a) The aerodrome operator shall:
- (1) establish and implement in the aerodrome emergency plan a procedure for alerting emergency services for accidents and incidents at the apron;
 - (2) provide the appropriate means and facilities for alerting the relevant emergency services.
- (b) The procedure established by the aerodrome operator shall include at least the following:
- (1) the contact details and the means that shall be used for alerting the emergency services;
 - (2) the information that has to be given to emergency services in order to handle the incident efficiently, such as:
 - (i) location of the accident or incident;
 - (ii) nature of the accident or incident;
 - (iii) damages;
 - (iv) injuries to persons;
 - (v) dangerous goods.

ADR.OPS.D.055 Jet blast precautions

- (a) The aerodrome operator shall make apron users aware of the hazards arising from jet blast and propeller slipstream.
- (b) The aerodrome operator shall require the apron users to secure vehicles and equipment properly and designate parking areas where the effect of jet blast or propeller slipstream is minimised.
- (c) When designing or making changes to apron layouts, the aerodrome operator shall take into consideration the effect of jet blast or propeller slipstream.
- (d) The aerodrome operator shall identify jet blast-sensitive places and shall either publish a request for minimum thrust to pilots, or take appropriate mitigating measures to minimize the jet blast effect.

ADR.OPS.D.060 Aircraft refuelling

- (a) The aerodrome operator shall establish a procedure for aircraft refuelling.
- (b) The procedure shall require the following:
- (1) the prohibition of open flames and the use of electrical or similar tools likely to produce sparks or arcs within the refuelling zone;
 - (2) the prohibition to start ground power units during refuelling;
 - (3) the existence of an unobstructed path from the aircraft to allow the quick removal of fuel bowsers and persons in case of emergency;
 - (4) the correct bonding of aircraft and fuel supply sources and the correct application of earthing procedures;

- (5) the immediate notification of the fuelling supervisor in case of fuel spillage and detailed instructions on how to handle fuel spillages;
- (6) the positioning of ground support equipment in such a way that emergency exits are free of any obstruction to allow the expeditious evacuation of the passengers, if passengers are embarking or disembarking or remain in the aircraft during refuelling;
- (7) the ready availability of fire extinguishers of a suitable type for at least initial intervention in the event of a fuel fire;
- (8) the discontinuation of refuelling operations if electrical thunderstorms are at or in the vicinity of the aerodrome.

ADR.OPS.D.065 Engine test

- (a) The aerodrome operator shall establish and implement an engine test procedure.
- (b) The procedure shall include the following:
 - (1) the person that has the authority to approve engine tests;
 - (2) the areas where engine tests are conducted;
 - (3) the safety measures that need to be taken.

ADR.OPS.D.070 High-visibility clothing

The aerodrome operator shall require that all personnel working outside, on foot, on the movement area shall wear high-visibility clothing.

ADR.OPS.D.075 Start-up clearances and taxi instructions

- (a) The aerodrome operator shall ensure that start-up clearances, push-back clearances, if required, and taxi instructions are coordinated with the air traffic service provider, when the aircraft movement on the apron is not managed by the air traffic service provider.
- (b) In this case, the aerodrome operator in cooperation with the air traffic service provider shall establish and implement a procedure, which shall include the following:
 - (1) definition of the authority to issue start-up clearances;
 - (2) means to inform each other for start-up clearances issued;
 - (3) means to inform each other of push-back clearances and taxi instructions given.

ADR.OPS.D.080 Training and proficiency check programmes of marshallers and "FOLLOW-ME" drivers

- (a) The aerodrome operator shall establish and ensure the implementation of a training programme for persons providing:
 - (1) marshalling service;
 - (2) "FOLLOW-ME" guidance.
- (b) The training programme shall be implemented in accordance with point ADR.OR.D.017 of Annex III.
- (c) The training shall be designed to impart fundamental knowledge and practical skills related to the execution of their duties.
- (d) The aerodrome operator shall ensure the implementation of a proficiency check programme for personnel referred to in point (a) in order to ensure:
 - (1) their continued competence;
 - (2) that they are aware of the rules and procedures relevant to their functions and tasks. The aerodrome operator shall ensure that persons referred to in point (a) undergo proficiency checks at intervals not exceeding 12 months since the completion of their initial training.

ADR.OPS.D.085 Training and proficiency check programme of personnel providing taxi instructions to aircraft through radiotelephony

- (a) The aerodrome operator shall ensure that:
 - (1) persons providing taxi instructions to aircraft on the apron through radiotelephony, using the assigned aeronautical radio frequencies, are appropriately trained and qualified;
 - (2) the training programme is implemented in accordance with point ADR.OR.D.017 of Annex III, with the following exceptions:
 - (i) the initial training shall be followed by a unit training which comprises the following phases:
 - (A) transitional training phase, designed primarily to impart knowledge and understanding of site-specific operational procedures and task-specific aspects;

- (B) on-the-job training phase, which is the final phase of unit training during which previously acquired job-related routines and skills are integrated in practice under the supervision of a qualified training instructor in a live traffic situation;
 - (ii) recurrent training shall be conducted at intervals not exceeding 12 calendar months and contains a review of the initial training content
 - (iii) refresher training shall be conducted when a person is absent from duties for a period of more than 12 months and shall include the entire initial training content.
- (b) Persons referred to in point (a)(1) shall demonstrate language proficiency, at least at an operational level both in the use of phraseologies and in plain language, in accordance with point (c), in the languages used for air-ground communication at the aerodrome.
- (c) The applicant shall demonstrate the ability to:
- (1) communicate effectively in voice-only and in face-to-face situations;
 - (2) communicate on common and work-related topics with accuracy and clarity;
 - (3) use appropriate communicative strategies to exchange messages and to recognise and resolve misunderstandings in a general or work-related context;
 - (4) handle successfully the linguistic challenges presented by a complication or unexpected turn of events which occurs within the context of a routine work situation or communicative task with which they are otherwise familiar;
 - (5) use a dialect or accent which is intelligible to the aeronautical community.
- (d) Language proficiency shall be demonstrated by a certificate issued by the organisation that conducted the assessment, attesting the language or languages, the level or levels of proficiency, and the date of the assessment.
- (e) Except for persons who have demonstrated language proficiency at an expert level, the language proficiency shall be re-assessed every:
- (1) four years from the date of the assessment, if the level demonstrated is operational level;
 - (2) six years from the date of the assessment, if the level demonstrated is extended level.
- (f) The demonstration of language proficiency shall be done through a method of assessment, which shall contain:
- (1) the process by which an assessment is done;
 - (2) the qualifications of the assessors conducting assessments of language proficiency;
 - (3) the appeal procedure.
- (g) The aerodrome operator shall make available language training to maintain the required level of language proficiency of its personnel.
- (h) The aerodrome operator shall ensure the implementation of a proficiency check programme for personnel referred to in point (a)(1) in order to ensure:
- (1) their continued competence;
 - (2) that they are aware of the rules and procedures relevant to their functions and tasks. The aerodrome operator shall ensure that persons referred to in point (a) undergo proficiency checks at intervals not exceeding 12 months since the completion of their initial training.

(*) Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010 (OJ L 281, 13.10.2012, p. 1).'