



EUROPEAN COMMISSION

Q&A

2 December 2024

## Single European Sky: updated rules for more efficient and sustainable air traffic management

### 1. How will the new Regulation improve air traffic management in Europe?

The new [Regulation on the Single European Sky \(SES2+\)](#) is a step forward for efficiency in European airspace, and will help improve air navigation services. The Regulation will introduce major improvements, incrementally:

- More choice for air navigation service providers on how to organise service provision, including the option to buy services on the market. This is coupled with the legal changes needed to enable the emergence of a market for support services (data, communications, meteorology, radars, etc.). This environment will open the door to more innovative services across borders within the EU internal market. It will also make it possible to reduce the duplication of infrastructure between Member States.
- Streamlined economic regulation, coupled with a permanent and independent Performance Review Board to advise the Commission. As a result, regulation will be more effective, and services more efficient.
- Clear price regulation for the monopoly upstream services needed to manage drone traffic.
- Stronger independence requirements for the national regulators from air navigation service providers (regulated entities).
- A well-coordinated, Europe-wide, operational air traffic network manager, that also coordinates and supports the deployment of network infrastructure.

### 2. What environmental benefits can we expect from the SES reform?

A more coordinated network optimises traffic flows and reduces congestion, lowering CO2 emissions.

The Commission will continue to set targets for the environmental performance of air navigation service providers, which in the future could also cover climate aspects. At national level, the targets set by the Member States, and approved by the Commission, are binding. Once appropriate performance indicators have been set, environmental and climate performance targets will also apply to services around airports.

In parallel, air navigation charges for *en route* services (overflights) will be modulated in a manner that incentivises better environmental performance by

airlines, and uniformly across Europe. Incentivised practices could include use of sustainable alternative fuels or more efficient aircraft. A Commission study will confirm the feasibility of this approach, alongside wide consultations with Member States and all other stakeholders.

These changes will apply for the regulatory period starting in 2030; the targets for the preceding period had to be set earlier in 2024, under existing rules.

### **3. Will the SES reform allow more modernisation of air traffic management in Europe?**

The new Regulation sets a legal framework to enable the development of air traffic data services. This, in turn, creates opportunities to modernise the sector through more innovative services and a 'data layer', which would enable more interoperability between different service providers, and facilitate cross-border cooperation. With more innovative services in place, 'capacity on demand', where services are run by different providers, with greater flexibility, would be possible.

This should be seen in light of a streamlined economic regulation which is expected to lead to better incentives for the air navigation service providers to seek efficiency gains, including from more modern technologies. In parallel, the Network Manager is tasked with coordinating the deployment of modern air traffic management infrastructure in Europe. Coordination is needed to ensure that infrastructure is rolled out in a synchronised manner, so that the entire network may function as it should.

### **4. What is the role of the new Performance Review Board and how will it function?**

The Performance Review Board (PRB) is a permanent independent advisory body. The seven members have a five-year, non-renewable mandate. It will replace the current group of experts known as the 'Performance Review Body'. It will start operating in the second half of 2025, and will receive support from a new Secretariat, provided by the Commission, for analytical, administrative, and technical matters.

The primary role of the PRB is to assist the Commission with the functioning of the performance and charging schemes. This includes advising on establishing targets for air navigation services and monitoring their achievement. In addition, the PRB will be responsible for supporting the Commission in verifying the compliance of the unit rates used to set the charges paid by airspace users. The PRB will provide the Commission with opinions, recommendations, guidance material and reports.

### **5. What are the changes for National Supervisory Authorities?**

The new Regulation includes stronger requirements to ensure that National Supervisory Authorities (NSA) (national regulators) are independent of the air navigation service providers (regulated entities). This independence refers in particular to decision-making, and Member States must set rules to avoid conflicts of interest. If the NSA is not legally separate from the air navigation service provider, the Member State needs to demonstrate how independence requirements are fulfilled. In addition, the NSA cannot seek, nor take instructions from, the hierarchy within the administration with authority over the ANSP. The new requirements will enter into force on 2 December 2026.

In addition, there is a clear distinction between:

- the national supervisory authority, which is established under this Regulation, and whose tasks concern implementation of this Regulation - mostly the economic regulation of air navigation services; and
- the national competent authority established under EASA Basic Regulation, and whose tasks concern safety oversight.

Both authorities may be located together (joint authority), but the NSA's decisions must be taken independently of other decisions by the joint authority.

## **6. How will National Supervisory Authorities cooperate?**

The new Regulation requires NSAs to cooperate, for example on mutual assistance, exchange of information and cross-border service provision. The Regulation establishes a National Supervisory Authorities Cooperation Board, providing a platform for NSAs to exchange information about their work, decision-making principles, best practices and procedures for implementing the Regulation. The Secretariat of the Performance Review Board within the Commission will provide administrative and technical support to the NSA Cooperation Board.

## **7. Are there changes to the certification of air navigation service providers?**

There is no change to the requirements for certifying air navigation service providers. With the new Regulation, all requirements for certification are set out in the EASA Basic Regulation; this avoids having them spread across the EASA and SES Regulations. The National Supervisory Authority will have a clearer role in assessing the certification requirements on financial robustness, liability and insurance cover, and on ownership and organisational structure.

The definition of an air traffic data service as a separate air navigation service is new. It has its own essential requirements, included in the EASA Basic Regulation. Together with future rules on the pricing of data needed for those services, this new definition will support the development of a market for those services.

Implementing rules will need to be amended to reflect the role of the national supervisory authorities and to establish the details for certifying air traffic data services.

## **8. What are the main changes for service provision?**

- (1) **Designation of air traffic service providers:** to be designated by a Member State on an exclusive basis, an air traffic service provider must comply with requirements on (a) certification, (b) national security and defence, (c) the location of its principal place of business (the EU), and (d) EU ownership and control. Exemption from conditions (c) and (d) is possible under specific conditions for neighbouring country providers. Member States must define and periodically assess the rights and obligations of designated air traffic service providers.
- (2) **Procurement of terminal air traffic services:** Member States may allow the procurement of terminal air traffic services. If airports decide to procure those services, this must be organised under market conditions. The Member State

must then designate the air traffic service provider selected during that procurement procedure (and not another). In addition, Member States must verify the service quality requirements included in tender specifications. Terminal air traffic service providers selected as a result of a procurement procedure are not subject to binding performance targets under the performance scheme.

- (3) **Designation of MET providers:** Member States may decide to designate a meteorological service provider on an exclusive basis. However, in such cases, that provider is subject to economic oversight under the performance scheme.
- (4) **Procurement of support services:** it is for air traffic service providers to decide whether or not to continue providing support services such as air traffic data services, communication, navigation and surveillance services in-house, or whether to procure them. No prior authorisation by the Member State is required. Where horizontal rules on public procurement apply, procurement must take place under market conditions. Either way, Member States must take measures to ensure the separation of *en route* and other services accounts, and to ensure that no cross-subsidisation between services occurs.
- (5) **Conditions for procurement of support services** (aeronautical information services, air traffic data services, communication, navigation, surveillance services or meteorological services) **or of terminal air traffic services:** air navigation service providers may only be selected through a procurement procedure to provide support services or terminal air traffic services if they comply with requirements on (a) certification, (b) national security and defence, (c) the location of its principal place of business (the EU), and (d) EU ownership and control. Exemption from conditions (c) and (d) for providers of global satellite services is possible under specific conditions.
- (6) **Common Information Services (CIS):** CIS are upstream monopoly services necessary for the management of drone traffic; they are now subject to economic regulation. When CIS are delivered by a central provider, the services are subject to price regulation. NSAs must assess and approve the prices. The costs of generating the data already paid for by airspace users cannot be charged a second time. Where those services are not provided through a central provider, but rather in a distributed manner, they must be provided free of charge.

## 9. What are the main changes to the performance and charging schemes?

The performance and charging schemes are the tools to regulate monopoly air navigation service providers. Many details of how those schemes should function have been taken from the implementing rules. The revised provisions will apply for the regulatory period starting in 2030. The novelties include:

- (1) **Environment and climate:** The performance targets will not only address environmental factors, but also climate ones, to address CO2 emissions and non-CO2 effects. In addition, Member States will be required to set environmental and climate targets not only for *en route* services (overflights), but also for services at and around airports, once adequate indicators have been set by the Commission. Finally, modulation of air navigation charges will be mandatory (if feasibility is confirmed by the Commission). This will ensure that the modulation of charges is uniform across Europe for *en route* services in relation to the climate and environmental performance of airspace users..

- (2) **Safety:** The performance targets will no longer address safety: the safety regulatory framework is now fully covered by the EASA Basic Regulation. Monitoring the safety of air traffic management will continue, ensuring a comprehensive overview of performance matters and a link to safety requirements.
- (3) **Assessment process:** The Commission's assessment and approval of national performance plans and national binding targets will be streamlined, with fewer steps and more in-depth assessments. Combined with the expertise of the Performance Review Board, the new assessment process will lead to a more efficient target-setting process, and thereby to stronger economic regulation.
- (4) **Transparency of accounts:** Air navigation service providers are required to have separate accounts for each air navigation service provided, for procured services, for other activities, and for services provided in third countries. This will help to avoid subsidisation between services. The provision will enter into force on 2 December 2026.

## **10. Has the role of the Network Manager changed?**

The Regulation clearly distinguishes between the network functions and the Network Manager tasks. Network functions entail shared responsibility, as Member States and operational stakeholders must all execute them; the Network Manager contributes.

Several network functions are entirely new; by implication, the Network Manager's tasks have also expanded. The new tasks involve:

- coordinating and supporting the delivery of air traffic control capacity within the network, with the novelty that this delivery should be in accordance with commitments in the Network Operations Plan;
- coordinating, monitoring and supporting the infrastructure management function, in partnership with operational stakeholders.
- supporting Member States and air traffic service providers when they choose to delegate service provision;

In addition, the Network Manager must also establish a Union-wide aeronautical information infrastructure to ensure electronic aeronautical information is easily accessible.

These new tasks will be taken up once the Decision in force on appointing the Network Manager is amended, or when a new Decision is taken.

## **11. Are there new elements as regards the SESAR project and technological innovation?**

The Regulation introduces a clear link with the SESAR project. It requires effective coordination between the project's different phases: definition, development and deployment. For common projects mandating the coordinated and synchronised implementation of specific air traffic management functionalities, the Regulation requires that the expected operational changes have a network-wide impact and have reached sufficient maturity.