Public consultation in view of a simplification, clarification and modernisation of the Single European Sky legislation (SES II +) and alignment of SES and EASA rules

Objectives of the consultation

As recalled by the White Paper on transport policy, adopted by the Commission on 28 March 2011, the completion of the Single European Sky (SES) framework on air traffic management (ATM) is one of the key elements for achieving a single European transport area. SES aims to improve the overall efficiency of the way in which European airspace is organised and managed. This includes a decrease in costs, an improvement of safety and capacity and a reduction of the impact on the environment.

The regulatory framework of the four SES regulations is intertwined with the development of the European Aviation Safety legislation, the latter legislation comprising a number of tasks entrusted to the European Aviation Safety Agency (EASA). The two regulatory frameworks need to be developed further in parallel towards a comprehensive and consistent EU aviation system that provides for a competitive, efficient, clear and proportionately regulated environment for the airspace users to operate in.

The development of the SES and EASA rules is based on five interrelated pillars addressing: performance, safety, technology, human factors and airports. The experience gained with the first package of legislation (SES I) which entered into force in 2004 and the second one (SES II) since 2009 has shown that the principles and direction of the SES initiative are valid and warrant a continuation of their implementation. The current regulatory framework has indeed provided a consistent and stable environment supporting the evolution of the ATM sector. However as individual initiatives – such as SESAR or the performance initiatives – are pushing progress further, the basic Regulations require regular technical updates and modernisation to better support the implementation work and to cater for issues stemming from technological and regulatory developments. These updates should in particular address solutions for improving the performance of air navigation services and secondly rectifying where possible and necessary the institutional set-up.

After two rounds of new initiatives, the time has also come for a simplification, to improve the usability of the Regulations and a general alignment of the existing regulations with other recent Regulations to make the SES and EASA rules better adapted for future use. The objective SES 2+ is therefore to promote a speedier implementation of SES clearly building upon already established principles.

The objective of this public consultation is for the Commission to receive stakeholder input in view of the possible simplification, clarification and modernisation of the SES legislation.

Glossary of abreviations
AIS = Aeronautical Information Services
ANSP = Air Navigation Service Provider
CNS = Communication, Navigation and Surveillance services
EAA = (possible future) European Aviation Agency
EASA = European Aviation Safety Agency
Eurocontrol = European Organisation for Safety of Air Navigation
FAB = Functional Airspace Block
ICAO = International Civil Aviation Organisation
MET = Meteorological services
NSA = National Supervisory Authority
PRB = Performance Review Body
SES = Single European Sky
SESAR = SES ATM Research programme

Questions marked with an asterisk [*] require an answer to be given.

1. Respondent information

1.1. Identification

If you are speaking on behalf of an organisation, note that as part of the European Transparency Initiative, organisations are invited to use the register of interest representatives to provide the European Commission and the public at large with information about their objectives, funding and structures (**http://europa.eu/transparency-register/index_en.htm**).

If you are a registered organisation, your contribution will be considered as representing the views of your organisation. If your organisation is not registered, your contribution will be considered as an individual contribution. You have the opportunity to register now by clicking on the above link.

1.1.1. I speak on behalf of [*]

○ Myself

○ An individual organisation

○ An association representing other organisations

1.1.2. Can you please identify which organisation or association you represent? [*] (maximum 100 characters)

1.1.3. Please indicate if your organisation is registered in the Transparency Register of the European Commission [*]

○ Yes

○ No

1.1.4. Please enter your registration number in the Transparency Register and check the validity of your entry via the search function in the Transparency Register.
Please note that invalid entries will by default be regarded as unregistered

1.1.5. Your job title (maximum 100 characters)

1.1.6. Your name and first name * (maximum 100 characters)

1.1.7. Please indicate a contact email address? * (maximum 100 characters)

1.1.8. Please select the stakeholder type? *

- ○ Airport operator
- ○ Air Navigation Service Provider (ANSP)
- ○ Manufacturing industry

- ○ Airline
- ○ National Supervisory Authority (NSA)
- ○ International organisation

- ○ Other civil airspace user
- ○ Ministry
- ○ Representative and/or professional association

- ○ Military
- ○ Trade union
- ○ Other

1.1.9. Which other? (maximum 250 characters)

1.2. Confidentiality

Contributions received to this consultation, together with the identity of the contributor, may be published by the Commission, unless the contributor objects to the publication of the personal data on the grounds that such publication would harm his or her legitimate interests. In this case, the publication may be published in an anonymous form.

The contributor may also object to the publication of his contribution, but should be aware that he may later be requested to provide justification in accordance with the exceptions provided under **Regulation 1049/2001** regarding public access to European Parliament, Council and Commission documents (
http://ec.europa.eu/transparency/access_documents/index_en.htm).

1.2.1. Do you object the publication of your personal data and/or your contribution? *

- ○ The contribution may be published
- ○ I object to the publication of my personal data (publication in anonymous form)
- ○ I object to the publication of my contribution

2. Consultation on SES 2+

2.1. Achievement of SES objectives and impact

2.1.1. Please explain which impact the Single European Sky policy initiative has had on you (your organisation)
(maximum 4000 characters)

2.1.2. In your view, to which extent are the objectives of the Single European Sky initiative to improve the efficiency in organisation and management of the European airspace already achieved? *

- ○ No opinion
- ○ Fully
- ○ Mostly
- ○ To some extent
- ○ Not at all

2.1.3. Please explain (maximum 4000 characters)

2.1.4. You believe that the objectives of the Single European Sky initiative have not yet been fully achieved. Please indicate and further explain in which policy area(s) in particular the objectives are not met:

Multiple answers possible * (at least 1 answers)

- ☐ Performance Scheme
- ☐ Charging Scheme
- ☐ Network Manager
- ☐ Functional Airspace Blocks
- ☐ SESAR
- ☐ Interoperability
- ☐ Organisation and use of airspace
- ☐ Safety and security requirements
- ☐ Human factor
- ☐ Other

2.1.5. Please specify "Other" (maximum 100 characters)

2.1.6. Comments (maximum 4000 characters)

2.1.7. Please indicate, in which policy area of the Single European Sky initiative you consider it necessary that further work is being done:

Multiple answers possible * (at least 1 answers)

- [ ] Performance Scheme
- [ ] Charging Scheme
- [ ] Network Manager
- [ ] Functional Airspace Blocks
- [ ] SESAR
- [ ] Interoperability
- [ ] Organisation and use of airspace
- [ ] Safety and security requirements
- [ ] Human factor
- [ ] airports
- [ ] Other

2.1.8. Please specify "Other" (maximum 100 characters)

2.1.9. Comments (maximum 4000 characters)

2.1.10. In initial discussions with stakeholders some *general objectives* have been identified that may be addressed in this revision. Please provide your opinion on the relevance of addressing these general objectives for the success of the Single European Sky initiative.

	High relevance	Medium relevance	Low relevance	No opinion
2.1.10.1. Ensure the performance and efficiency of service provision *	○	○	○	○
2.1.10.2. Ensure the technical modernisation of the ATM system *	○	○	○	○
2.1.10.3. Improve the quality of legislation and its implementation *	○	○	○	○
2.1.10.4. Ensure the alignment of various policy initiatives *	○	○	○	○

2.1.11. Comments (maximum 4000 characters)

2.1.12. Furthermore in the discussion about the general objectives proposed above, some possible *specific objectives* and further *operational objectives* for revision of the SES initiative have been raised. (See questions 2.1.12 to 2.1.19)

Please provide your opinion on the relevance of addressing these specific and operational objectives for the success of the Single European Sky initiative.

In order to drive improved performance and efficacy of service provision, in terms of operational objectives, should we address?

	High relevance	Medium relevance	Low relevance	No opinion
2.1.12.1. Improving the governance of the performance scheme *	○	○	○	○
2.1.12.2. Improving the functionality of functional airspace blocks and other co-operation arrangements *	○	○	○	○
2.1.12.3. Finding new (e.g. market based) tools to motivate better performance *	○	○	○	○

2.1.13. Comments (maximum 4000 characters)

2.1.14. The need to ensure the technical modernisation of the ATM system requires tackling the *specific objective of ensuring the SESAR program is successfully implemented*. In terms of operational objectives this could take the form of addressing following areas. What is your assessment of their relevance?

	High relevance	Medium relevance	Low relevance	No opinion
2.1.14.1. Ensuring stakeholder confidence and commitment in the programme *	○	○	○	○
2.1.14.2. Ensuring the technical rulemaking is optimally supporting SESAR deployment	○	○	○	○

2.1.15. Comments (maximum 4000 characters)

2.1.16. The need to improve the quality of legislation and its implementation requires tackling the *specific objective of clarifying and strengthening the rulemaking system*. In terms of operational objectives this could take the form of addressing following issues. What is your assessment of their relevance?

	High relevance	Medium relevance	Low relevance	No opinion
2.1.16.1. Improvements in the consistency and focus of new rules through refined institutional arrangements and planning processes *	○	○	○	○
2.1.16.2. Ensuring coherent oversight and enforcement of rules *	○	○	○	○

2.1.17. Comments (maximum 4000 characters)

2.1.18. The need to ensure the alignment of various policy initiatives requires tackling *the specific objective of focusing European ATM rulemaking under a single consistent EU method*. In more operational terms this objective could translate into following initiatives. What is your assessment of their relevance?

	High relevance	Medium relevance	Low relevance	No opinion
2.1.18.1. Clarifying the roles of the various involved organisations *	○	○	○	○
2.1.18.2. Ensuring their policies are decided through a single planning framework and that they all focus on a single agreed objective *	○	○	○	○

2.1.19. Comments (maximum 4000 characters)

2.1.20. Do you think that the **current policy objectives** of SES could be achieved with less human or financial effort if the activities under SES were organised or regulated in a different way? *

○ Yes

○ No

○ No opinion

2.1.21. How should efficiency be improved? (maximum 4000 characters)

2.1.22. Comments (maximum 4000 characters)

2.1.23. Does the current SES system address your main concerns and needs, or would it be important to add further objectives to the legal framework or adjust the order of priorities? *

○ Yes

○ No

○ No opinion

2.1.24. Which objectives should be added or changed? (maximum 4000 characters)

2.1.25. Comments (maximum 4000 characters)

2.1.26. Do you see scope for further **reduction of the administrative burden** for small and medium-sized enterprises? *

- ○ Yes
- ○ No
- ○ No opinion

2.1.27. How could that be achieved? (maximum 4000 characters)

2.1.28. Comments (maximum 4000 characters)

2.1.29. *During the work to implement SES Regulations, various discussions with the stakeholders have taken place in which the following "problem drivers" have been suggested in the current framework. (See questions 2.1.29 and 2.1.30)*

Would you agree with the following often suggested "Problem Drivers" related to provision of air navigation services – performance issues in terms of efficiency and quality due to:

	High relevance	Medium relevance	Low relevance	No opinion
2.1.29.1. Current performance targets are not sufficiently ambitious to be of interest to airspace users by offering improved reductions in cost and improvements in capacity *	○	○	○	○
2.1.29.2. Despite the considerable advances made during SES development, there is still a tendency to support maintaining the *status quo* in service provision, instead of focusing more on the value-added created for airspace users. *	○	○	○	○
2.1.29.3. Increased co-operation to seek synergies between the service providers is needed to bring benefits to airspace users both inside and outside functional airspace blocks (FABs). Working in isolation would keep the service providers from achieving their full potential as a network industry. *	○	○	○	○
2.1.29.4. The completion of the SESAR programme requires considerable investment decisions, which may be difficult to justify to airspace users, airports, ANSP's, militaries and other stakeholders that are facing increasing economic pressures and which may fear that the improvements delivered by the performance scheme may be to some extent eaten up by the SESAR investments without full clarity on the timescale of return on investment. *	○	○	○	○
2.1.29.5. Links between the performance scheme, the FABs, the Network Manager and SESAR deployment need to be further reinforced. *	○	○	○	○

2.1.30. Would you agree with the following often suggested "Problem Drivers" related to issues with the institutional setup?

a: No opinion

b: Fully

c: Mostly

d: To some extent

e: Not at all

	a	b	c	d	e
2.1.30.1. Due to the current economic crisis, the National Supervisory Authorities (NSAs) do not have the required resources to efficiently oversee the service providers and enforce SES rules. *	○	○	○	○	○
2.1.30.2. To ensure continued quality of the work, EASA's development towards a true single instrument of technical EU aviation regulation and oversight entity should be supported by appropriate rules for financing the necessary works. *	○	○	○	○	○
2.1.30.3. Although good progress on reform has been made, within the limits of the existing Convention, Eurocontrol should use the 2013 rewrite of its Convention to take the reform process forward. *	○	○	○	○	○
2.1.30.4. The scope of the EASA System needs to be updated in line with recent technological and regulatory developments.	○	○	○	○	○

2.1.31. An often heard observation during implementation of SES2 has been that the institutional set-up, with its numerous actors and somewhat overlapping agendas is overtly complex and makes it difficult to proceed with reforms.

Would you agree with this statement?

○ No opinion

○ Fully

○ Mostly

○ To some extent

○ Not at all

2.1.32. Please indicate your views on how it might be simplified (maximum 4000 characters)

2.1.33. *According to the abovementioned discussions and in the view of some stakeholders, the drivers described above appear to lead to certain core problems and effects in the current situation. (See questions 2.1.33 and 2.1.34)*

Please provide your opinion on the relevance and accuracy of the following potential core problems for the success of the Single European Sky initiative.

Core problems and their effects related to provision of air navigation services – performance issues in terms of efficiency and quality due to the fact that:

	High relevance	Medium relevance	Low relevance	No opinion
2.1.33.1. Increasing the competitiveness of the air transport system requires continuous focus on ensuring that the performance targets remain sufficiently ambitious. *	○	○	○	○
2.1.33.2. Optimisation of service provision requires an increased focus on value added for airspace users and an increased willingness to flexibly change old business models. *	○	○	○	○
2.1.33.3. The FABs should be increasingly focused on functionality and flexible search for synergies, instead of rigid structures to ensure new efficiencies and economies can be realised. *	○	○	○	○
2.1.33.4. The often heard observation that issues with SESAR funding have led to a first mover disadvantage for airlines and ANSP's, with the effect that each party is tempted to postpone investment decisions and becomes reluctant to commit to binding timelines in SESAR may result on a slow-down of this crucial project. *	○	○	○	○
2.1.33.5. Whilst the individual initiatives on the performance scheme, the FABs, the Network Manager and SESAR deployment each are producing benefits, they could be further enhanced by linking them more closely together. *	○	○	○	○

2.1.34. Core problems and their effects related to issues with the institutional setup

	High relevance	Medium relevance	Low relevance	No opinion
2.1.34.1. The economic crisis has led to persistent resource problems in the National Supervisory Authorities (NSAs), which in turn has caused problems with ensuring sufficient oversight and sometimes even incomplete and inconsistent implementation of the various SES rules.*	○	○	○	○
2.1.34.2. Need for a better use of resources for EASAs drafting and oversight functions, linked to the absence of a single body for technical ATM regulation in the EU.*	○	○	○	○
2.1.34.3. Historical development has led to a multiplication of institutional structures at European level, with the effect that stakeholders are often unsure of which developments to follow. This also makes it more difficult for organisations such as EASA and Eurocontrol to fulfil their true potential by focusing on their respective strengths.*	○	○	○	○
2.1.34.4. We need to strive towards a more cohesive and user-friendly set of regulatory material, while making effective use of the know-how and competence of all organisations active in European ATM.*	○	○	○	○

2.2. Policy options

2.2.1. Alignment of SES and EASA Rules and the creation of a European Aviation Agency (EAA)

2.2.1.1. Article 65a of Regulation 216/2008 calls on the Commission to address the overlap between the SES legislation and EASA legislation, in particular to ensure full alignment of the two frameworks.
Should this area be addressed through a single policy framework, as in other areas of aviation (e.g. licensing or air operations) to ensure a single globally applied approach? *

○ Yes

○ No

○ No opinion

2.2.1.2. How should the governance be designed so as to:
(a) deliver best public interest and network benefits;
(b) properly involve industry stakeholders; and
(c) effectively manage different conflicts of interests? (maximum 4000 characters)

2.2.1.3. To which extent do you agree that it would be beneficial to ensure a more harmonised and co-ordinated approach in Air Traffic Management, covering both safety and interoperability, in particular with a view to the impending wave of technological innovations stemming from the SESAR initiative? *

○ No opinion

○ Fully

○ Mostly

○ To some extent

○ Not at all

2.2.1.4. Comments (maximum 4000 characters)

2.2.1.5. An additional area raised is compliance monitoring and the need for more consistent and proportionate treatment across the different regulations. One possibility would be to move towards a more comprehensive technical "European Aviation Agency (EAA)" that would be able to oversee the entire technical aviation chain from airworthiness to air traffic management.

To which extent do you agree that the move towards a European Aviation Agency (EAA) could help in achieving the objectives of the Single European Sky initiative and the specific need to streamline and make more proportionate and balanced the application of aviation legislation in the EU? *

- ○ No opinion
- ○ Fully
- ○ Mostly
- ○ To some extent
- ○ Not at all

2.2.1.6. Comments (maximum 4000 characters)

2.2.1.7. Do you believe it should be a totally new entity, or should it be built on the existing foundation in EASA? *

- ○ EASA
- ○ New entity
- ○ No opinion

2.2.2. Strengthening NSAs and improving ANSP governance

2.2.2.1. Should we also look to strengthen the role and independence of the National Supervisory Authorities (NSAs)? Taking into account current budgetary issues, one way would be to improve co-operation between the NSAs, perhaps going to the European Aviation Agency (EAA) for overall co-ordinating and support role.

To which extent do you agree with this proposal? *

- ○ No opinion
- ○ Fully
- ○ Mostly
- ○ To some extent
- ○ Not at all

2.2.2.2. Comments (maximum 4000 characters)

2.2.2.3. An alternative solution could be to also task other organisations to support the NSAs through the provision of technical expertise and advice.

To which extent do you agree with this proposal? *

- ○ No opinion
- ○ Fully
- ○ Mostly
- ○ To some extent
- ○ Not at all

2.2.2.4. Comments (maximum 4000 characters)

2.2.2.5. Similarly, given that NSAs often have different interpretations of what constitutes compliance (e.g. on interoperability oversight), with consequences for a lack of coherence in compliance regimes between States, should the EU legislate to ensure that regulatory approval e.g. for new technology does not entail unnecessary duplicative checks elsewhere?

To which extent do you agree with this observation and proposal? *

○ No opinion

○ Fully

○ Mostly

○ To some extent

○ Not at all

2.2.2.6. Comments (maximum 4000 characters)

2.2.2.7. Should the EU require that all airspace user groups are to be involved in ANSP governance, in order to ensure focus on stakeholder value? *

○ No opinion

○ Fully

○ Mostly

○ To some extent

○ Not at all

2.2.2.8. Comments (maximum 4000 characters)

2.2.2.9. Should an ANSP be required to have governance structures that would allow for joint ventures or other forms of collaborative working? *

- ○ No opinion
- ○ Fully agree
- ○ Mostly agree
- ○ Agree to some extent
- ○ Do not agree at all

2.2.2.10. Comments (maximum 4000 characters)

2.2.2.11. Should business plans of ANSPs be defined for a time period corresponding with the SES performance scheme reference periods (e.g. for the years 2015 to 2019), after consultation of stakeholders and made public on the basis of common provisions under EU law in order to increase transparency and accountability, in particular with regard to the consistency of the business plan with the deployment of the SESAR programme and the SES Performance Scheme? *

- ○ No opinion
- ○ Fully agree
- ○ Mostly agree
- ○ Agree to some extent
- ○ Do not agree at all

2.2.2.12. Comments (maximum 4000 characters)

2.2.3. Improving Network Manager governance and adjusting its role

2.2.3.1. Should airspace users be given a strategic management role in the Network Manager e.g. on network co-ordination, planning and allocation? Or should their role remain at a purely consultative level? *

○ No opinion

○ Fully involved in strategic management role

○ In a largely strategic role

○ Some enlargement towards a strategic role, but mainly consultative level

○ Prefer current situation

2.2.3.2. Comments (maximum 4000 characters)

2.2.3.3. Should the functions of the Network Manager be beefed up to ensure it has sufficient overall level of impact on network operations? *

○ No opinion

○ Very much so

○ Mostly, but not in all aspects

○ To some extent

○ Not at all

2.2.3.4. How? (maximum 4000 characters)

2.2.3.5. Comments (maximum 4000 characters)

2.2.3.6. Do you believe that a stronger involvement of a reformed Eurocontrol in SESAR deployment – on the basis of its network level picture of various local and regional development needs and changes - would be advantageous to achieving a timely and co-ordinated execution of SESAR plans? *

- ○ No opinion
- ○ Fully
- ○ Mostly
- ○ To some extent
- ○ Not at all

2.2.3.7. Comments (maximum 4000 characters)

2.2.4. A new set-up for the Performance Review Body (PRB) and strengthening of the SES Performance Scheme

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2.2.4.1. The Performance Review Body (PRB) is central to the success of the performance scheme as its recommendations have a major impact on both the targets and the assessment of whether the targets have been achieved. Do you believe it should be given a more independent role than today? *

- ○ No opinion
- ○ Fully
- ○ To great extent
- ○ To some extent
- ○ Not at all

2.2.4.2. Comments (maximum 4000 characters)

2.2.4.3. Early experience has shown that a robust target setting and incentivisation process is vital to the success of the performance scheme. Currently, targets are set through a long process of iteration taking easily over 18 months.

To which extent do you agree with the views expressed by some stakeholders that the timescale of the current target setting process is problematic for implementation of the scheme?*

○ No opinion

○ Fully

○ Mostly

○ To some extent

○ Not at all

2.2.4.4. Comments (maximum 4000 characters)

2.2.5. Revitalisation of the FAB initiatives

For example in the SES implementation report by the Commission (COM(2011)731) it is observed that "it appears that the implementation of FABs is not proceeding as fast as it should" and in various informal discussion with stakeholders, it has been highlighted that some Functional Airspace Blocks (FAB) initiatives are currently suffering from a lack of direction and implementation drive.

2.2.5.1. To which extent do you agree that a clearer and simpler performance oriented set of criteria for FABs should be introduced, together with a simpler and more efficient enforcement mechanism, in order to revitalise the FAB initiative. *

○ No opinion

○ Fully

○ Mostly

○ To some extent

○ Not at all

2.2.5.2. Comments (maximum 4000 characters)

2.2.5.3. In order to revitalise the FAB initiative it has been further discussed to allow for more industry led cooperation at service provider level through different forms like flexible alliances and cross-border mergers.

To which extent do you agree with this proposal? *

○ No opinion

○ Fully

○ Mostly

○ To some extent

○ Not at all

2.2.5.4. Comments (maximum 4000 characters)

2.2.6. SES territorial applicability

Today the applicability of the Single European Sky legislation over high seas differs somewhat between the

various Regulations and regions. This may cause some lack of continuity and suboptimal predictability in operations.

2.2.6.1. To which extent do you agree with the proposal to extend selected parts of the SES legislation also to the parts of ICAO North Atlantic (NAT) region that are under the responsibility of SES States, in order to bring the application of SES under the same principles there, as is already the case in the High seas located ICAO European and African regions and under the responsibility of EU Member States? *

○ No opinion

○ Fully

○ Mostly

○ To some extent

○ Not at all

2.2.6.2. Comments (maximum 4000 characters)

2.2.7. Revising the charging scheme to support performance of service provision

Today, the link between charges and desired policy objectives is relatively weak and hence the Commission services have considered strengthening this link by creating financial incentives for a more efficient use of the available infrastructure as well as to incentivise investment in SESAR on-board equipment by the airspace users. The airspace users would thus derive a financial benefit from avoiding congested pieces of airspace and/or investing in equipment that helps resolve those problems.

2.2.7.1. To which extent do you agree that the introduction of "congestion charging" could help overcome capacity problems and ultimately lead to a more efficient use of the existing infrastructure and airspace in those parts of European airspace most congested today? *

○ No opinion

○ Fully

○ Mostly

○ To some extent

○ Not at all

2.2.7.2. Comments (maximum 4000 characters)

2.2.7.3. To which extent do you agree that the user charges should be modulated to give incentives for users to invest in SESAR on-board equipment? *

- ○ No opinion
- ○ Fully
- ○ Mostly
- ○ To some extent
- ○ Not at all

2.2.7.4. Comments (maximum 4000 characters)

2.2.7.5. Currently regulatory activities of national authorities are to some extent funded through the route charges system (user charges). This has helped secure necessary financing for independent oversight and safety work.

To which extent do you agree with the proposal to similarly organise the funding of regulatory activities at EU-level in particular where the EU-level is performing activities previously performed nationally (mainly EASA activities in the ATM field)? *

- ○ No opinion
- ○ Fully
- ○ Mostly
- ○ To some extent
- ○ Not at all

2.2.7.6. Comments (maximum 4000 characters)

2.2.8. Introducing market principles in air navigation service provision

The main air navigation services are considered to be what are in economic terms called *natural monopolies*. This means that the current level of technology and/or the nature of their services makes it either impossible or uneconomical to require multiple competing providers in one piece of airspace.

To simplify the organisation of service provision, the current regulations also allow for bundling various ancillary services together with the core services, so that they too *de facto* become designated monopolies and are no longer subject to normal public procurement or competition rules. In most States this has led to a situation, where a single service provider provides most, if not all, services. Due to the natural monopoly nature of the core services, the SES performance scheme was created to address the need for performance improvements in them. However there are some ancillary services (e.g. Meteorological (MET) or Communication, Navigation and Surveillance (CNS) services), where the application of market principles could be considered as an alternative (or additional) means of improving efficiency and of allowing these services to take responsibility of their own destinies.

2.2.8.1. To which extent do you agree that a way forward could consist of introducing separation of these ancillary services from the core bundled ANSPs and opening up the market for them? *

- ○ No opinion
- ○ Fully
- ○ Mostly
- ○ To some extent
- ○ Not at all

2.2.8.2. Comments (maximum 4000 characters)

Useful links

Europa page about this Public Consultation:

http://ec.europa.eu/transport/air/consultations/2012-12-13-sestwoplus_en.htm

Single European Sky: http://ec.europa.eu/transport/air/single_european_sky/single_european_sky_en.htm