

Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (Text with EEA relevance) (repealed)

CHAPTER II

SUBSTANTIVE REQUIREMENTS

[^{F1}Article 8a

Aerodromes

- 1 Aerodromes and aerodrome equipment as well as the operation of aerodromes shall comply with the essential requirements set out in Annex Va and, if applicable, Annex Vb.
- 2 The compliance of aerodromes, aerodrome equipment and operation of aerodromes with the essential requirements shall be established in accordance with the following:
 - a a certificate shall be required in respect of each aerodrome. The certificate and certification of changes to that certificate shall be issued when the applicant has shown that the aerodrome complies with the aerodrome certification basis set out in point (b), and that the aerodrome has no feature or characteristic making it unsafe for operation. The certificate shall cover the aerodrome, its operation and its safety-related equipment;
 - b the certification basis for an aerodrome shall consist of the following:
 - (i) the applicable certification specifications related to the type of aerodromes;
 - (ii) the provisions for which an equivalent level of safety has been accepted; and
 - (iii) the special detailed technical specifications necessary when the design features of a particular aerodrome or the experience in operation render any of the specifications referred to in point (i) inadequate or inappropriate to ensure conformity with the essential requirements set out in Annex Va;
 - c the measures referred to in paragraph 5 may lay down a requirement of certification in respect of safety-critical aerodrome equipment. The certificate for such equipment shall be issued when the applicant has shown that the equipment complies with the detailed specifications established to ensure compliance with the essential requirements referred to in paragraph 1;
 - d organisations responsible for the operation of aerodromes shall demonstrate their capability and means to discharge the responsibilities associated with their privileges. These capabilities and means shall be recognised through the issuance of the certificate referred to in point (a). They may also be recognised through the issuance of a separate certificate if the Member State where the aerodrome is located so decides. The privileges granted to the certified organisation and the scope of the certificate, including a list of aerodromes to be operated, shall be specified in the certificate;
 - e by way of derogation from point (d), Member States may decide that providers of apron management services shall be allowed to declare their capability and means of discharging the responsibilities associated with the services provided.

Status: Point in time view as at 29/01/2013. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 216/2008 of the European Parliament and of the Council (repealed), Article 8a. (See end of Document for details)

3 Member States shall ensure that provisions are in place to safeguard aerodromes against activities and developments in their surroundings which may cause unacceptable risks to aircraft using the aerodrome.

4 Aerodrome operators shall monitor activities and developments which may cause unacceptable safety risks to aviation in the aerodrome surroundings and take, within their competence, mitigating measures as appropriate.

5 The measures designed to amend non-essential elements of the requirements referred to in this Article, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 65(4).

Those measures shall specify in particular:

- a the conditions for establishing and notifying to an applicant the certification basis applicable to an aerodrome;
 - b the conditions for establishing and notifying to an applicant the detailed specifications applicable to aerodrome equipment;
 - c the conditions for issuing, maintaining, amending, suspending or revoking certificates for aerodromes and certificates for aerodrome equipment, including operating limitations related to the specific design of the aerodrome;
 - d the conditions for operating an aerodrome in compliance with the essential requirements set out in Annex Va and, if applicable, Annex Vb;
 - e the conditions for issuing, maintaining, amending, suspending or revoking the certificates referred to in paragraph 2(d);
 - f the responsibilities of the holders of certificates;
 - g the conditions for the acceptance and for the conversion of aerodrome certificates issued by Member States, including measures which are already authorised by the Member State concerned on the basis of notified deviations from Annex 14 of the Chicago Convention before the entry into force of this Regulation;
 - h the conditions for the decision not to permit exemptions referred to in Article 4(3b), including criteria for cargo aerodromes, the notification of exempted aerodromes and for the review of granted exemptions;
 - i the conditions under which operations shall be prohibited, limited or subject to certain conditions in the interest of safety;
 - j the conditions and procedures for the declaration by and for the oversight of service providers referred to in paragraph 2(e).
- 6 The measures referred to in paragraph 5 shall:
- a reflect the state of the art and the best practices in the field of aerodromes and take into account the applicable ICAO Standards and Recommended Practices;
 - b be proportionate to the size, traffic, category and complexity of the aerodrome and nature and volume of operations thereon;
 - c take into account worldwide aerodrome operation experience, and scientific and technical progress;
 - d allow for immediate reaction to established causes of accidents and serious incidents;
 - e provide for the necessary flexibility for customised compliance.]

Textual Amendments

- F1** Inserted by [Regulation \(EC\) No 1108/2009 of the European Parliament and of the Council of 21 October 2009 amending Regulation \(EC\) No 216/2008 in the field of aerodromes, air traffic](#)

Status: Point in time view as at 29/01/2013. This version of this provision has been superseded.

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management and air navigation services and repealing Directive 2006/23/EC (Text with EEA relevance).

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Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 216/2008 of the European Parliament and of the Council (repealed), Article 8a.