

Commission Regulation (EU) No 1332/2011 of 16 December 2011
laying down common airspace usage requirements and operating
procedures for airborne collision avoidance (Text with EEA relevance)

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operating procedures for airborne collision avoidance

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THE EUROPEAN COMMISSION,

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

Having regard to 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⁽¹⁾, and in particular Articles 8(1), 8(5), and 9(4) thereof,

Whereas:

- (1) Safety requirements should be imposed on operators of aircraft registered in a Member State or registered in a third country and operated by a Union operator, and on operators of aircraft used by a third country operator within the Union.
- (2) Following a series of mid-air encounters in which safety margins have been lost, including accidents in Yaizu (Japan) in 2001 and in Überlingen (Germany) in 2002, the current airborne collision avoidance system software should be upgraded. The studies concluded that with the current airborne collision avoidance system software there is a probability of a mid-air collision risk of $2,7 \times 10^{-8}$ per flight hour. Therefore the current ACAS II version 7.0 is considered to be of an unacceptable safety risk.
- (3) It is necessary to introduce a new software version of the airborne collision avoidance system (ACAS II) to avoid mid-air collision of all aircraft flying in the airspace covered by Regulation (EC) No 216/2008.
- (4) To ensure the highest possible safety standards, aircraft which do not fall within the scope of the mandatory carriage requirement but were equipped with ACAS II prior to entry into force of this Regulation should install ACAS II containing the latest version of collision avoidance software.
- (5) In order to ensure that the safety benefits associated with the new software version are achieved, all aircraft need to be equipped as soon as practically possible. However, it is necessary to provide a realistic time for the aeronautical industry to adapt to this new Regulation taking into account the availability of new equipment.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 1332/2011. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (6) The Agency prepared draft implementing rules and submitted them as an opinion to the Commission in accordance with Article 19(1) of Regulation (EC) No 216/2008.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the European Aviation Safety Agency Committee established by Article 65 of Regulation (EC) No 216/2008,

HAS ADOPTED THIS REGULATION:

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(1) [OJ L 79, 19.3.2008, p. 1.](#)

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/687 reg. 8\(4\)](#)
- Art. 1(a) words substituted by [S.I. 2019/687 reg. 8\(2\)\(a\)](#)
- Art. 1(b) words substituted by [S.I. 2019/687 reg. 8\(2\)\(b\)](#)