

Commission Regulation (EU) No 319/2014 of 27 March 2014 on the fees and charges levied by the European Aviation Safety Agency, and repealing Regulation (EC) No 593/2007 (Text with EEA relevance) (repealed)

CHAPTER II

**FEES**

*Article 7*

**General provisions as regards payment of the fees**

1 The certification task is subject to prior payment of the full amount of the fee due, unless the Agency decides otherwise after due consideration of the financial risks. The Agency may invoice the fee in one instalment after having received the application or at the start of the annual or surveillance period.

2 The fee to be paid by the applicant for a given certification task shall consist of:

- a a flat fee set out in Part I of the Annex; or
- b a variable fee.

3 The variable fee referred to in point (b) of paragraph 2 shall be established by multiplying the actual number of working hours and the hourly rate set out in Part II point 1 of the Annex.

4 Upon application of future Regulations pertaining to certification tasks to be carried out by the Agency in accordance with the relevant provisions contained in Regulation (EC) No 216/2008, the Agency may levy fees according to Part II point 1 of the Annex for certification tasks other than those referred to in the Annex until such time that specific provisions on the relevant fees to be levied by the Agency can be incorporated in this Regulation.

*Article 8*

**Payment periods**

1 Fees referred to in tables 1 to 4 of Part I of the Annex shall be levied per application and per period of 12 months. For the period after the first 12 months, the fees shall be 1/365th of the relevant annual fee per day.

2 Fees referred to in table 5 of Part I of the Annex, shall be levied per application.

3 Fees referred to in table 6 of Part I of the Annex, shall be levied per period of 12 months.

4 The fees related to organisations referred to in Tables 7 to 11 of Part I of the Annex shall be levied as follows:

- a approval fees shall be levied per application;
- b surveillance fees shall be levied per period of 12 months;
- c any changes to the organisation that affect its approval have the effect of a recalculation of the surveillance fee due as of the next 12 months period.

### *Article 9*

#### **Termination of application**

1 The application may be rejected if the fees due for a certification task have not been received upon the expiry of the time period provided for in Article 4(2) and after the Agency has consulted the applicant.

2 The balance of any fees due, calculated on an hourly basis for the ongoing period of 12 months but not exceeding the applicable flat fee, shall be payable in full at the time the Agency stops working on the certification task, together with travel expenses and any other amounts due, in the following cases:

- a if the Agency rejects the application; or
- b a certification task has to be terminated by the Agency because the applicant:
  - (i) has insufficient resources;
  - (ii) fails to comply with the applicable requirements; or
  - (iii) decides to abandon its application or to postpone its project.

3 When, on demand of the applicant, the Agency starts previously stopped certification task again, the Agency shall levy a new fee, irrespective of the fees already paid for the stopped tasks.

### *Article 10*

#### **Suspension or revocation of certificate**

1 If the outstanding fees have not been received upon the expiry of the time period provided for in Article 4(2), the Agency may suspend or revoke the relevant certificate after having consulted the applicant.

2 If the Agency suspends the certificate due to non-payment of the annual fee or surveillance fee or because the applicant fails to comply with the applicable requirements, the respective fee period shall continue and the applicant shall pay for the period of suspension.

3 If the Agency revokes the certificate, the balance of fees due, calculated on an hourly basis for the ongoing period of 12 months but not exceeding the applicable flat fee, shall be payable in full together with any other amounts due at that time.

### *Article 11*

#### **Surrender or transfer of certificates**

If the certificate holder surrenders or transfers the corresponding certificate, the balance of any fees due, calculated on an hourly basis for the ongoing period of 12 months but not exceeding the applicable flat fee, shall be payable in full on the date the surrender or transfer takes effect, together with travel expenses and any other amounts due at that time.

## *Article 12*

### **Certification tasks on exceptional basis**

An exceptional increase shall be applied to the fee levied in order to cover all of the costs incurred by the Agency in meeting the special request of the applicant, if due to that request a certification task is exceptionally carried out as follows:

- (a) by assigning categories of staff, which the Agency would not normally assign under its standard procedures, or
- (b) by assigning such number of staff that the operation is performed faster than under the Agency's standard procedures.