

# *Security developments in Europe and the US*

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# ***EU Developments***

- **Adoption of new EU framework regulation replacing 2320/2002**
- **The new framework Regulation 300/2008 establishes the following principles:**
  1. Medium size airports handling small amounts of passenger/flights can benefit from more flexible EU rules on airport and screening measures i.e. small airports in remote areas. This also includes demarcated areas.
  2. Small aircraft can be exempted from EU rules and have national rules applied i.e. under 10 tonnes MTOW
  3. Business Aviation aircraft i.e. between 10 tonnes and 45 tonnes can be exempted from the general EU rules and have alternative/specific EU rules
- **No decision yet on the alternative rules for Business Aviation aircraft or the weight thresholds for the above categories**

# ***Main points of EBAA position on Business Aviation aircraft***

- All operators to adopt a written security programme
- Full screening required when penetrating the airline closed system
- Low Frequency Screening Protocol: security rules for Handling Agents processing less than 250 passengers per day should include special screening rules to allow for screener multitasking
- No screening for regular customers under the Known Booker & Known Passenger system:
  1. The Booker and the operator must establish a contract including booking protocol, operator's security programme, background and commercial checks to ensure all security procedures prior to the flight
  2. The operator will have procedures in place to check the identity of Known Passengers and ensure they have followed the Known Booker procedures on the day of flight. Lead passenger to validate accompanying passengers

## ***Institutional and airline reactions***

- **Commission and a large majority of Member States support the main points of our position. The Commission's idea is to include Business Aviation in the Medium Size Airport concept as a basis for alternate security rules**
- **A small group of Member States are concerned about the Known Booker/Known Passenger concept. If this concept is accepted, airlines are lobbying to also benefit for first class passengers**
- **There is general agreement that Commission should draft guidelines regarding Low Frequency Screening Protocol to encourage Member States to implement common measures**
- **Commission intends to decide in July whether the BizAv aircraft (between 10 and 45 tonnes) should be subject to alternative EU rules or be regulated at national level**

# ***US security procedures***

- **The waiver programme is still very problematic for European operators:**

1. TSA does not consider a single aircraft operator qualifies as a fleet
2. Administrative/notification waiver procedures continue to take too much time (between 10 and 30 days average)
3. TSA website does not mirror the current procedures and is not updated in a timely manner
4. TSA are working with a Shannon FBO in TSA's Secure FBO Programme, however Ireland is not a portal country in the US
5. Commercial operators holding a Foreign Aircraft Operators license (FAR 129) and filing for APIS are still processed under the visa waiver programme. It recently took a commercial operator 23 days to get a permission!
6. EBAA is very concerned that once APIS is also enforced for non-commercial operators the visa waiver programme will continue to apply

# ***EBAA position***

- **EBAA believes that APIS should replace waiver procedures for both commercial and non-commercial operations**
- **Current TSA proposal on APIS for non-commercial operations: EBAA is concerned that the amount of information requested and some of the procedures to follow by operators would have a considerable negative impact on the operations**
- **EBAA considers that full reciprocity should be the basis for all EU and US procedural requests regarding security but also access rights and safety**