



Opinion No 01/2024

in accordance with Article 76(1) of Regulation (EU) 2018/1139

Ground handling requirements

RMT.0728

EXECUTIVE SUMMARY

This Opinion proposes an EU regulation on ground handling (GH) and subsequent amendments to Regulations (EU) No 965/2012 on air operations, (EU) No 139/2014 on aerodromes, and (EU) 2022/1645 on information security. The purpose is to ensure a level playing field for organisations providing GH services in Europe, including when these are provided as self-handling by aircraft operators, and to establish a baseline for the safety of these services.

The Opinion includes a regulatory framework for a scalable management system proportional to the size and complexity of the operation, covering the management of safety, safety culture, training requirements for GH personnel, a maintenance programme for the ground support equipment used for the provision of GH services, and general operational requirements for the provision of GH services. EASA proposes a new approach for the acceptance of industry standards applied in the GH domain, acknowledging their continued use and enabling their implementation on a voluntary basis. Their importance for the harmonisation and standardisation of GH operational procedures is more relevant than in any other aviation domain due to the number of different industry standards and their coverage of the entire spectrum of GH operations. Provision of GH services will be based on a declaration regime, which enables a sign-and-start system that does not require any prior approval by competent authorities before starting operation.

This Opinion also includes oversight requirements for competent authorities, with a particular focus on cooperative oversight, which becomes a crucial element for an efficient oversight of pan-European organisations providing GH services.

Amendments to Regulations (EU) No 965/2012 and (EU) No 139/2014 are proposed to address mutual exchange of safety-relevant information among GH organisations, aircraft operators and aerodrome operators regarding GH operations, and to enable smooth integration of the new management system elements addressing GH. This Opinion also proposes to include the GH domain in the scope of Regulation (EU) 2022/1645 on security management.

The proposed new rules are expected to ensure a consistent feedback loop on safety reports from authorities to organisations, a better understanding of the safety risks, a better exchange of safety information between the stakeholders involved and an assessment of mitigation measures, with the ultimate effect of improving the overall flight safety.

REGULATION(S) TO BE AMENDED

— [Regulation \(EU\) No 965/2012 \(Air OPS\)](#); [Regulation \(EU\) No 139/2014 \(ADR\)](#); [Regulation \(EU\) 2022/1645 \(Part-IS\)](#)

AFFECTED STAKEHOLDERS

National competent authorities, ground handling service providers, aircraft operators, aerodrome operators

WORKING METHODS

Development	Impact assessment(s)	Consultation
By EASA with external support from a group of GH experts	Detailed	Public (2022): draft rules, 1 webinar Focused (2023) — NPA 2023-106 : EASA Advisory Bodies, Ground Handling Expert Group, Dangerous Goods European Liaison Group (DGELG)

RELATED DOCUMENTS / INFORMATION

[GH Roadmap and Concept Papers](#) supporting the decision to start RMT.0728 (conference, March 2019); [ToR RMT.0728](#), issued on 22.11.2019; [Working Paper containing draft regulation, AMC&GM](#), published in May 2022; [Website \(information\) related to the GH webinar](#), organised on 30 June 2022 as focused consultation

PLANNING MILESTONES: Refer to the latest edition of the EPAS Volume II.

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1. About this Opinion

1.1. How this regulatory material was developed

This rulemaking activity is included in the 2023 edition of Volume II of the European Plan for Aviation Safety (EPAS) for 2023–2025¹ under Rulemaking Task RMT.0728.

EASA developed the draft regulatory material for a ground handling regulation in line with Regulation (EU) 2018/1139² (the Basic Regulation) and the Rulemaking Procedure³, and in accordance with the objectives and working methods described in the Terms of Reference (ToR) for RMT.0728⁴.

The proposed regulatory material was drafted with input from a group of ground handling experts of approximately 40 persons representing all affected and interested stakeholders: ground handling organisations and associations thereof, commercial and non-commercial aircraft operators and associations thereof, aerodrome operators and associations thereof, trade unions, Eurocontrol, and competent authorities. Online and in-person meetings were organised from 2019 until and including 2023, throughout the entire rulemaking process.

The first draft of the regulatory material in the form of a Working Paper⁵ was published on the EASA website for consultation between 1 June and 30 September 2022. A webinar was also organised on 30 June 2022⁶ with a reach out audience of 2 000. The webinar was announced several months in advance on the EASA Events page. Approximately 200 comments were received on the Working Paper during the webinar.

EASA received approximately 800 comments from affected and interested parties, including industry, national competent authorities (NCAs), and social partners. The comments were reviewed and duly considered in drafting the GH Regulation presented in this Opinion.

EASA continued to work on the draft rules with the GH expert group that has provided support and input since 2018, from the first steps of the GH Roadmap, as well as with additional experts in individual GH activities, as needed during the various phases of the rule development.

Between 26 July and 30 September 2023, the draft proposal was consulted a second time with the Advisory Bodies, the Dangerous Goods Experts Liaison Group, and the GH expert group. The consultation included new material consisting of the proposed amendments to Regulations (EU)

¹ <https://www.easa.europa.eu/en/document-library/general-publications/european-plan-aviation-safety-2023-2025>

² Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

³ EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure'), and repealing Management Board Decision No 18-2015 (<https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-01-2022-rulemaking-procedure-repealing-mb>).

⁴ [Terms of Reference of RMT.0728](#)

⁵ [Working Paper on the first draft GH Requirements developed under RMT.0728](#), published on the EASA website beginning of June 2022.

⁶ <https://www.easa.europa.eu/en/newsroom-and-events/events/webinar-eu-ground-handling-regulation#group-event-materials>

No 965/2012 on air operations, Regulation (EU) No 139/2014 on aerodromes, and Regulation (EU) 2022/1645 on information security, all relevant to the newly regulated domain of ground handling. This was the last consultation before the publication of the Opinion.

The approximately 1 270 comments received during the second consultation from all categories of affected stakeholders have been considered for the preparation of the regulatory material published in this Opinion.

EASA also consulted with individual Advisory Bodies (Air OPS TEB, Aerodromes TEB, Aerodromes TEC, MAB) during regular meetings in 2022 and 2023. The comments provided during those meetings have also been considered in the draft regulatory material published in this Opinion.

Advice in accordance with Article 6(9) of Management Board Decision 01-2022⁷ was sought in May 2023 to ensure that any divergent views on the proposal would be addressed in due time before the Opinion publication.

1.2. The next steps

The Opinion is submitted to the European Commission which, based on the Opinion's content, shall decide whether to adopt the ground handling regulation and the amendments to EU Regulations on aerodromes (Regulation (EU) No 139/2014), air operations (Regulation (EU) No 965/2012) and information security (Regulation (EU) 2022/1645) as proposed in the Opinion.

For information, EASA published the draft acceptable means of compliance (AMC) and guidance material (GM) that are intended to be issued to support the application of the Regulations proposed in this Opinion.

Following the adoption and issuance of these Regulations, EASA will issue decisions with the related AMC and GM to support the implementation of those Regulations. When issuing the Decisions, EASA will also provide a summary of the comments received and information on who engaged in the process and/or provided comments on the draft AMC and GM during the consultation, how such engagement and consultation was used in rulemaking, and how the comments were considered.

⁷ Article 6 'Engagement and consultation' of the [Management Board Decision N° 01-2022 of 02 May 2022](#) on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure'), and repealing Management Board Decision No 18-2015.

2. In summary — why and what

2.1. Why we need to act

Basic Regulation prerequisites

The Basic Regulation includes the ground handling domain among the aviation safety domains, in a total system approach. The Basic Regulation contains requirements on the safe provision of ground handling services and the organisations providing them.

According to the Basic Regulation definition, ground handling means ‘any service provided at aerodromes comprising safety-related activities in the areas of ground supervision, flight dispatch and load control, passenger handling, baggage handling, freight and mail handling, apron handling of aircraft, aircraft services, fuel and oil handling, and loading of catering; including the case where aircraft operators provide those ground handling services to themselves (self-handling)’.

Article 37 (Organisations): ‘2. Organisations responsible for the provision of groundhandling services and AMS at aerodromes subject to this Regulation shall **declare** their capability, and the availability to them of the means, to discharge the responsibilities associated with the services provided in compliance with the essential requirements referred to in Article 33.’

Article 39 (Delegated powers): ‘1. For the operation of aerodromes and the provision of groundhandling services and AMS at aerodromes, the Commission is empowered to adopt delegated acts in accordance with Article 128 laying down detailed rules with regard to: (...)

(d) the conditions and procedures for the declaration by organisations providing groundhandling services (...) in accordance with Article 37(2), including recognition, without further verification, by the operators, of those declarations;

(e) the privileges and responsibilities of the organisations providing groundhandling services (...) which have made declarations in accordance with Article 37(2).’

Article 62 (Certification, oversight and enforcement): 4. ‘The responsibilities for the tasks related to certification, oversight and enforcement referred to in paragraph 2 shall be determined in accordance with this paragraph. (...) The national competent authority of the Member State where the aerodrome is located shall be responsible for those tasks with respect to the aerodrome certificate referred to in Article 34(1) and the certificate for an aerodrome operator referred to in Article 37(1). That national competent authority shall also be responsible for the oversight and enforcement tasks with respect to organisations responsible for the provision of groundhandling services or AMS at that aerodrome.’

Annex VII Essential requirements for aerodromes:

‘2.1 Responsibilities of the aerodrome operator: (...)

(f) **the aerodrome operator shall establish arrangements with** other relevant organisations to ensure continuing compliance with the essential requirements for aerodromes set out in this Annex. Those organisations include, but are not limited to, aircraft operators, ANS providers, **groundhandling service providers**, AMS providers and other organisations whose activities or products may have an effect on aircraft safety; (...)

4. GROUNDHANDLING SERVICES

4.1. Responsibilities of the groundhandling services provider

The provider of groundhandling service is responsible for the safe operation of its activities at the aerodrome. The responsibilities of the provider are as follows:

(a) the provider shall have all the means necessary to ensure safe provision of service at the aerodrome. Those means shall include, but are not limited to, facilities, personnel, equipment and material;

(b) the provider shall **comply with the procedures contained in the aerodrome manual**, including those in relation to movements of its vehicles, equipment and personnel and the risk related to aerodrome operations in winter, at night and in adverse weather conditions;

(c) the provider shall provide the groundhandling services in accordance with the procedures and instructions of the aircraft operator it serves;

(d) the provider shall ensure that manuals for the operation and maintenance of groundhandling equipment are available, applied in practice and cover operation, maintenance and repair instructions, servicing information, troubleshooting and inspection procedures;

(e) the provider shall use only adequately trained and qualified personnel and shall ensure the implementation and maintenance of training and checking programmes to ensure the continuing competence of all relevant personnel;

(f) the provider shall ensure that its **personnel is physically and mentally fit to execute their functions** satisfactorily, taking into account the type of activity and in particular its potential safety and safety-related security impact.

4.2. Management systems

4.2.1. As appropriate for the type of activity undertaken and the size of the organisation, the provider shall implement and maintain a **management system** to ensure compliance with the essential requirements set out in this Annex, **manage safety risks and to aim for continuous improvement of this system**. Such system shall be **coordinated with the management system of the aerodrome operator**.

4.2.2. The provider shall establish an **occurrence reporting system** as part of the management system under point 4.2.1 in order to contribute to the aim of continuous improvement of safety. Without prejudice to other reporting obligations, the provider shall transmit all occurrences to the reporting system of the aerodrome operator, the aircraft operator and, if relevant, to that of the air traffic service provider. The occurrence reporting system shall be compliant with the applicable Union law.

4.2.3. The provider shall develop a groundhandling service manual and operate in accordance with that manual. Such manual shall contain all necessary instructions, information and procedures for the service, the management system and for service personnel to perform their duties.'

To ensure a balanced approach towards the development of new rules for the ground handling domain, in 2018 EASA initiated a Ground Handling Roadmap consisting of 3 phases:

Phase 1 – Fact finding and analysis of the current situation in the EU at the time (2018) through surveys, interviews and social dialogue with the affected stakeholders (aerodrome operators, aerodrome associations, ground handling service providers (GHSPs), air operators, and air operator associations).

Phase 2 – The GH Roadmap and six Concept Papers based on an analysis of the situation in 2018 were published on the EASA website. A consultation workshop to discuss those Concept Papers and present the GH Roadmap to stakeholders affected by the future Ground Handling Regulation was organised in March 2019. More information about Phases 1 and 2 can be found on the [EASA website](#).

Phase 3 – Rulemaking. After the workshop in March 2019, EASA started the work on rulemaking task RMT.0728 ‘Ground handling requirements’. The [Terms of Reference](#), stating the issue and objectives, were published on 22 November 2019. After more than a year’s pause caused by the COVID-19 pandemic, work on the ground handling requirements was resumed mid-2021 and the revised timelines for the deliverables of RMT.0728 were published in [EPAS 2022-2026](#) and subsequent issue of [EPAS 2023-2025](#).

2.2. Description of the issue

1. Safety culture and safety reporting

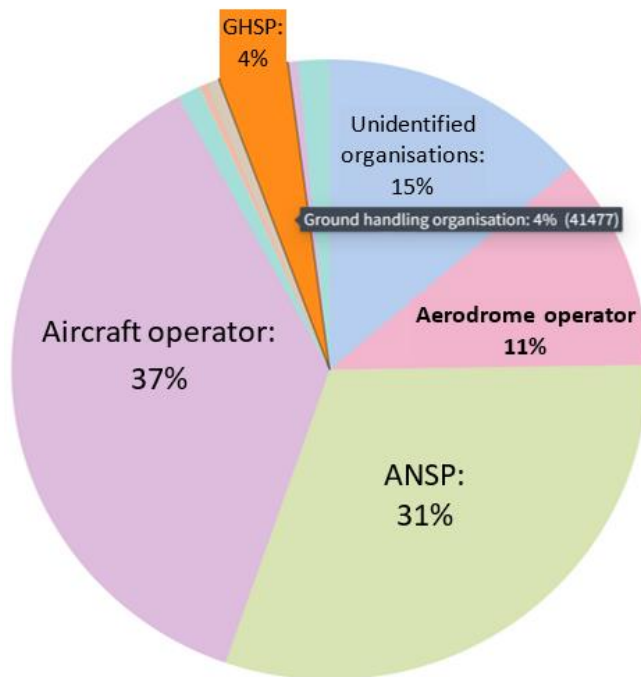
Based on the mandate established by the Basic Regulation that EASA shall develop safety requirements for ground handling services, and in order to have a clearer picture of the safety dimension under discussion, EASA started an analysis of the safety elements in GH activities, which were already highlighted in the safety risk portfolios published in the past five issues of the EPAS.

The statistics of safety reports recorded in the European Central Repository (ECR) database of the European Commission for all aviation domains since 2015⁸ have revealed the following generic information:

1. Only 4 % of all reports can be attributed to GH organisations with certainty. 78 % of those reported occurrences identified to be reported by GHSPs are submitted by only two EASA Member States (see Figure 2).
2. For 15 % of the reports, the origin of the reporting entity could not be established and therefore remains unknown. This remains a limitation of the interpretation of this data.
3. The graph does not indicate how many self-handling aircraft operators and how many aerodrome operators providing GH services were among the reporters.

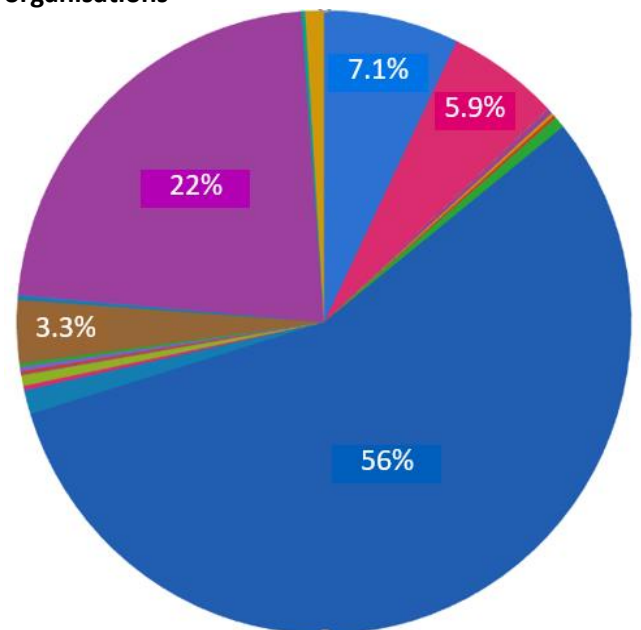
⁸ 2015 was the year when Regulation (EU) No 376/2014 became applicable; this Regulation applies also to ground handling organisations.

Figure 1: Reporting per type of organisation — all reports in all aviation domains since 2015



Furthermore, the chart below presents the rate of reporting in the EASA Member States, without indicating which State has the highest number of reports and which one the lowest. The imbalanced reporting ratio at EU level should be noted in this pie chart.

Figure 2: Reporting ratio per EASA Member State, representing 4 % of the reports submitted by GH organisations



Several hypotheses can be projected to explain the imbalanced reporting and the very low number of reports (4 %) coming mainly (78 %) from two EU Member States and directly from GH organisations; however, the limitations highlighted in the above paragraphs should be kept in mind:

- No traceable follow-up of reporting from GH organisations. Reporting of occurrences without a follow-up action to improve safety brings no safety benefit in itself. The feedback loop from the competent authorities to the reporting GH organisation is not visible enough and not backed up by a regulatory framework. This might lead to less reporting since there are no consequences to not reporting – either positive or negative;
- Aircraft operators are responsible for the safety of the GH services provided to them; this may be perceived as a responsibility of the aircraft operator first (and perhaps only), and less of the GH organisation since no EU regulation establishes clear responsibilities for GH organisations for the safe provision of services;
- Insufficient safety culture and reporting culture within GH organisations;
- Lack of a just culture in the ground handling sector;
- Reports submitted by GH organisations being registered in the ECR with the competent authority as the reporting entity;
- Complicated channel of reporting, no system available for reporting, poor reporting tools with very few exceptions, unclear/inconsistent taxonomy, multiple reporting obligations to multiple entities, all leading to the opposite of the intended purpose – no reporting instead of more reporting.

Consequences of a low safety culture do not necessarily lead to a higher number of fatalities. Luckily, ground handling occurrences rarely lead to catastrophic events like an aircraft accident with fatalities. Considering also the intense activity on the ramp and the high number of employees working in GH on ramp handling activities, the number of fatalities and serious injuries is rather low. To give credit where credit is due, industry has been self-regulating for many years and the level of safety in aircraft handling has significantly improved in the last 20 years. Nevertheless, fatalities and serious injuries still occur in ground handling operations; safety events still occur⁹, which means there is room for improvement of the current situation. From another perspective, it should be kept in mind that the definitions of ‘accident’ and ‘serious incident’ provided in Regulation (EU) No 376/2014¹⁰ and ICAO Annex 13 do not include events occurring to persons while performing ground handling activities on the apron that do not involve an aircraft. Therefore, it is likely that such occurrences are considered health and safety accidents or incidents and, consequently, are not reported as safety events and therefore are not part of the aviation safety statistics. Indeed, for ground handling activities in particular, it can be difficult sometimes to draw a line between aviation safety occurrences and health and safety events.

Simply put, in the absence of a GH regulation, where the GH organisation is a service provider of the airline, but not regulated directly as a safety stakeholder, the severity of safety occurrences, i.e. the number of injuries or fatalities in GH, may not be the most appropriate indicator for the level of safety in GH operations. There are other, more appropriate indicators, and perhaps the most relevant is the number of events resulting in damage to the aircraft and vehicles on the apron, which is very high.

⁹ See the regulatory impact assessment for a more detailed safety review of ground handling occurrence reports.

¹⁰ See the definition of ‘accident’ in Article 2 (Definitions) of Regulation (EU) No 376/2014, which refers to Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC (OJ L 295, 12.11.2010, p. 35) (<https://eur-lex.europa.eu/search.html?scope=EURLEX&text=996%2F2010&lang=en&type=quick&qid=1704276623682>).

According to statistics, damage to the aircraft during ground handling activities generates costs estimated to EUR 1.5 billion per year only in Europe. The IATA study (2022)¹¹ on aircraft damage caused by ground support equipment (GSE) indicated yearly damage costs of almost USD 5 billion worldwide only for commercial operations. But that damage is caused by some errors and those errors have a cause. The contributing factors or causes leading to aircraft damage can be identified only upon further analysis of those events. The real cause or contributing factors could be linked to human factors (poor situational awareness, pressure, fatigue, deviation from the operational procedures), organisational factors (improper training, poor quality management, improper communication, lack of safety culture, faulty operational procedures), or technology-related factors (poor equipment design, poor maintenance), and the list may go on.

Indicators such as the highest staff turnover in the aviation industry (turning to an annual 70 % or even 100 % turnover rate post-Covid with some GH organisations operating in Europe¹²) coupled with the business need to remain competitive and minimise the costs where possible might contribute to an increased level of safety risk to the entire flight and ground operation. **Safety in aviation is as strong as its weakest link.** The Covid-19 pandemic was a revealing agent, a ‘litmus test’ for the sustainability of the GH industry, which helped revealing the real situation in the ground handling sector. The problem of staff shortages is expected to exacerbate with the current age profile of GH workers, who will soon retire and the younger GH workers belonging to the new generations will be significantly fewer (see the Regulatory Impact Assessment published as an appendix to this Opinion, Section 2.6 *How could the issue evolve?*, Figure 2.5 *Age profile*).

Despite the recognisable efforts of the industry to self-regulate, the desired level of standardisation of procedures and training is not yet consistently achieved. With safety management systems (SMS) being implemented only on a voluntary basis, a minimum SMS awareness cannot be ensured across the whole GH industry. For GH organisations providing services worldwide, the SMS is not an alien concept; often safety awareness and safety culture are well embedded in their organisations. Unfortunately, this does not always happen at smaller GH organisations; GH organisations operating locally, at only one or just a few aerodromes, which struggle to survive a strong competition, are less familiar with the SMS concept, if at all. Moreover, responsibility for the safety of GH services has always been with aircraft operators, as contractors of GH services, and less with GH organisations providing those services. Aircraft operators should no longer bear alone the burden of responsibility for how safely the GH organisations provide services. The ground handling sector is an active contributor and a key player to aviation safety. This role should be acknowledged as such by formally recognising GH organisations as an aviation safety stakeholder with an active responsibility to maintain and improve aviation safety.

For more details on safety data, please see Section 2.1 of the Regulatory Impact Assessment published as an appendix to this Opinion.

Having to deal with a different level of maturity between GH organisations and other aviation stakeholders (aircraft operators, aerodrome operators) or between GH organisations themselves is

¹¹ [IATA Ground Damage Report: the case for enhanced ground support equipment](#), published in December 2022: ‘Analysis of the current situation together with the forecast traffic growth and change in aircraft type mix shows that, unless measures are actively taken to reduce the ground damage incident rate, the current annual total ground damage costs will double to \$9.7 billion over the next 15 years.’ (p.7).

¹² Information received by EASA during the meetings with the GH expert group for the development of the draft rules on ground handling.

challenging. Sometimes persons with high roles in safety accountability or responsibility are not aware of the SMS principles and the proactive or predictive approach to safety management, and they do not know how to prevent existing hazards and risks from turning into concrete safety issues. Another challenge faced today by organisations is the lack of a feedback loop from the authority receiving an occurrence report back to the reporter. There is not enough transparency of the actions taken to reduce the risks as a result of safety reporting or safety analysis of the reports, which would prove the value of reporting. Also, there is no mutual sharing of safety-relevant information between the main safety stakeholders: airports, aircraft operators and GH organisations.

2. Oversight

In most of the EASA Member States today, the only regulatory framework for competent authorities to conduct any direct oversight of GH organisations is the Groundhandling Directive 96/67/EC published in 1996; however, the GH Directive has a different scope – to regulate the market access of GH organisations to certain aerodromes, not to address the safety of GH activities. The GH Directive is differently transposed into the national legislations of the Member States. Consequently, there are different bodies responsible for verifying its implementation; in some States, this role is often transferred to aerodrome operators, while competent authorities are not involved at all in the verification of how the GH Directive is implemented. It is true, however, that in some Member States, the national legislation transposing the GH Directive does cover the safety of GH operations to some extent, in lack of a proper legal tool for safety oversight. A few Member States also use the provisions of Regulations (EU) No 965/2012 on air operations and (EU) No 139/2014 on aerodromes to conduct an indirect oversight of GH activities through the requirements on contracted services applicable to aircraft operators and respectively aerodrome operators.

In one Member State, all GH organisations must prove that they have the accreditation of an industry auditing programme for conformance with industry standards for GH before being granted authorisation to provide GH services at an aerodrome in that State.

The audits and inspections performed mostly by aircraft operators under the applicable requirements of Regulation (EU) No 965/2012 and several also by aerodrome operators under Regulation (EU) No 139/2014 or, as the case may be, national implementation of the GH Directive, aim at achieving and maintaining an acceptable level of safety of the ground handling services. However, the efficiency of those audits can be improved, as evidence shows some extreme (but not singular) cases of worldwide GH organisations spending 178 days a year in answering to third-party audits (over 1/3 of a year) that come with large costs attached to them, and whose results are 80 % identical with each other and not able to show any new safety items that the GH organisation is not already aware of via its own internal SMS system and its own audits. In another example, a pan-European GH organisation with 100 stations is subject to audits conducted by an average of 625 entities (aircraft operators, authorities, aerodrome operators, etc.), resulting in almost 5 000 manhours per year spent by the GH organisation in those audits. In other words, this means more than 6 audits per year per station, i.e. one audit every 2 months per station, generating a non-productive time requirement of around 50 manhours¹³ per station, in a sector that is already struggling with high levels of staff shortages.

In conclusion:

¹³ Data provided by the ground handling experts who supported EASA in the development of the draft GH rules of RMT.0728.

1. There is no harmonised oversight of GH activities and GH organisations across the EASA Member States.
2. There is no minimum level of safety in GH established as a mandatory basis, as GH organisations apply an SMS on their GH activities on a voluntary basis. The level of safety estimated from submitted reports may be inaccurate, as the reporting culture, safety culture, and accuracy of reporting have not been assessed consistently, and there is no clear or consistent feedback loop from competent authorities to GH organisations submitting occurrence reports on GH.
3. The minimum level of training for GH personnel is not standardised except for organisations that apply industry standards, and it is verified only under the contractual conditions with the aircraft operators. Compliance with the training elements for vehicle drivers included in the Aerodrome Regulation is verified by the aerodrome operator, and this is the only training programme applicable to GH that is currently standardised at EU level.
4. Additionally, the comments received during the 2023 consultation on the draft GH regulation raised another pertinent question: should the dangerous goods (DG) training programme of ground handling organisations be subject to competent authority approval or not?

Today the ICAO TI provisions are implemented differently in each Member State in their national legislations. Some Member States approve it, some do not, and some do it only on request of GH organisations, as sometimes aircraft operators require their GHSP to have their DG training programme approved by the competent authority.

Compliance with the ICAO Technical Instructions is also verified by aircraft operators, in accordance with the requirements of Regulation (EU) No 965/2012 on contracted activities. However, there is no EU harmonised approach on this at the moment, and the most undesirable situation of having different approval regimes applied in different Member States must be avoided. The harmonisation of practices should be ensured through the GH Regulation. Please see Section 2.6 point 16 for more details.

5. There is a high number of industry audits performed each year to a GH organisation. This has been confirmed by large organisations and even aircraft operators on many occasions in conferences and during meetings with the expert group supporting EASA in the development of the draft rules. The resources spent on so many audits that produce the same results are counterproductive and the efficiency of verifying a GH organisation's compliance with the requirements and with the operational procedures should be improved.

2.3. Who is affected by the issue

The affected stakeholders are as follows:

1. **Ground handling service providers (GHSPs)** providing services at aerodromes that are covered by the Basic Regulation. These could be either large organisations providing a wide variety of GH services or smaller organisations (of various business types) providing only one or a reduced number of GH services. The range of GH activities and organisations providing GH services that are proposed to be covered by the GH Regulation is detailed in the draft Cover Regulation. Those organisations will have to submit a declaration to their competent authority, by which they commit to discharge the responsibility for the safe provision of GH services.

As an additional but necessary clarification, Section 2.5, particularly points 9 and 17, addresses the impact of the draft GH Regulation on GH organisations providing services in more than one Member State and having a principal place of business (PPOB) in a non-EASA State. The impact on those GH organisations is considered to be higher.

2. **Aircraft operators, both those providing self-handling and those not providing self-handling and relying on contracted GH organisations for GH services, to a different extent.** The Basic Regulation includes aircraft operators performing self-handling in the scope of the GH regulation. This means that those aircraft operators are also subject to compliance with the future GH Regulation. To keep the rules proportional, only self-handling commercial air transport (CAT) operators of complex-motor-powered aeroplanes are proposed to be included in the scope of the GH Regulation (see Section 2.6 for more details). Aircraft operators performing self-handling are not expected to duplicate their management system, but only integrate the new GH elements for compliance with the GH Regulation into their existing management system.

Aircraft operators that do not provide self-handling will also be affected but to a different extent.

Annex VII ‘Essential requirements for aerodromes’ to the Basic Regulation (point 4.1.(c)) states that GH organisations must provide services in accordance with the aircraft operators’ procedures and instructions. However, according to Regulation (EU) No 965/2012 applicable to aircraft operators, not all aircraft operators are required to develop such procedures: for example, NCO operators (non-commercial operations with other-than complex motor-powered aircraft) do not need to have an operations manual or ground handling procedures. This remains unchanged, but in case the GH organisation does not have access to the GH instructions of the aircraft operator, it will apply its own operational procedures. The same is expected to happen when aircraft operators use the GH services of a provider at an aerodrome on an ad hoc basis or without a pre-established contract. Although the ultimate responsibility for the aircraft safety remains with the aircraft operator, the responsibility for the safety of the GH services provided will be with the GH organisation in the future.

3. **Aerodrome operators.** Today there are many aerodrome operators that provide GH services. They too will be affected by the new GH Regulation. In addition, aerodrome operators have an important role to play in ensuring safety of airside aerodrome operations even when they do not provide GH services directly. The GH Regulation will better define the interfaces between the relevant stakeholders and will ensure exchange of safety information between them. As in the case of aircraft operators performing self-handling, aerodrome operators performing GH activities will not have to duplicate their already existing management system, but only to integrate the GH elements required by the new GH Regulation into their systems and manuals.

In addition, as per Annex VII Essential requirements for aerodromes’ to the Basic Regulation (point 4.1.(b), GH organisations will have to comply with the procedures contained in the aerodrome manual, including those related to movements of its vehicles, equipment and personnel, as well as the risk related to aerodrome operations in winter, at night and in adverse weather conditions and training on specific activities (e.g. foreign object debris, driving of vehicles, etc.). The future GH requirements will be aligned with the aerodrome requirements, and clear lines of responsibilities will be defined. Also in this case, the GH regulation will require

the identification of interfaces between the GH organisation and the aerodrome operator, to avoid duplications and confusions as to who is responsible for what.

4. **Competent authorities.** Competent authorities will become responsible for the oversight of GH services and organisations providing them, as well as for the cooperative oversight of GH organisations providing services at aerodromes in more than one Member State or under the oversight of more than one competent authority. The proposed regulation includes provisions that will standardise the oversight of GH organisations at EU aerodromes. Competent authorities will have to train their inspectors to perform GH oversight, develop adequate procedures for oversight, apply an oversight planning cycle, collect yearly reports on the activity of GH organisations to complete the picture of the organisations' safety performance to ensure a risk-based oversight, and register the declarations from organisations providing GH services in their State (using the repository of information developed in accordance with Article 74 of the Basic Regulation and Commission Implementing Regulation (EU) 2023/2117¹⁴).

2.4. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. The proposed regulatory material presented here is expected to contribute to achieving these overall objectives by addressing the issues described in Section 2.2.

The specific objectives of this proposal are to:

- establish a level playing field for the provision of GH services and for organisations providing them at EU aerodromes within the Basic Regulation's scope;
- ensure a safety baseline for GH activities at EU aerodromes;
- provide a legal framework to support GH organisations in developing and fostering a safety culture;
- enable the development of effective interfaces for safety risk mitigations arising from GH activities by GH organisations, aircraft operators and aerodrome operators, including the exchange of safety-relevant information;
- establish minimum training standards for GH personnel, to ensure that personnel are trained and competent to perform the assigned tasks and that their competence is maintained;
- reduce the number of audits to GH organisations currently performed by aircraft operators under the current air operations requirements on contracted activities;
- establish a system for competent authorities to perform oversight of GH organisations and their activities, with particular focus on effective cooperative oversight and risk-based oversight.

While the drivers for any action in this context remain safety and level playing field, the efficiency gains resulting from the proposed safety requirements are not to be ignored. As a case in point, in a risk-based oversight environment, measurable safety improvements are automatically followed by a reduction of oversight pressure. Also, requiring consistent exchange of safety information between GH

¹⁴ Commission Implementing Regulation (EU) 2023/2117 of 12 October 2023 laying down the necessary rules and detailed requirements for the functioning and management of a repository of information pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council (OJ L, 2023/2117, 13.10.2023) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023R2117&qid=1704279941456>).

organisations, air operators and aerodrome operators and consistent feedback of safety reports from competent authorities directly to reporting GH organisations will eventually lead to smoother communications on safety matters, better safety reporting culture, better identification of safety risks and mitigations, agreement on common procedures, increase of trust in one another, which will further lead to more efficient and punctual operations, fewer events, fewer costs on aircraft damages or operational delays.

At the same time, by putting the ground handling operations on the European safety map, the European Union acknowledges the significant contribution of ground handling activities to enhancing aviation safety.

2.5. What are the stakeholders' views

2.5.1 First consultation (2022)

EASA received approximately 1 000 comments on the first draft rules published in 2022 and approximately 200 questions during the webinar organised on 30 June 2022, from all the stakeholders affected by, or interested in, the rulemaking proposal: GH organisations large and small and one association thereof (ASA), aircraft operators and associations thereof, both commercial and non-commercial (IATA, ERA, A4E, IBAC), workers' federation (ETF), aviation sector representation (FNAM/CSAE), aerodrome operators and one association thereof (ACI Europe), individual experts, and competent authorities.

All comments were reviewed and considered during the rule drafting, to improve the first published version.

The stakeholders' major comments are summarised below.

1. Commentators showed significant support of the following elements of the draft GH Regulation:

- Formal recognition of GH as a safety-critical aviation domain.
- The total system approach with the integration of the GH sector among the safety-regulated aviation domains.
- Introduction of SMS requirements for GH organisations.
- Ensuring a level playing field and a minimum safety level in the GH domain.
- Introducing a regulatory framework for the development and fostering of a safety culture within GH organisations. Focus on the safety culture, with a transparent communication, the just culture component and training of personnel will improve the reporting culture of GHSPs.
- Significance and introduction in the rules of interfaces between aerodrome operators, aircraft operators and GH organisations.
- Equal treatment in sharing safety-relevant information and data between GH organisations, aircraft operators and aerodrome operators.
- Requirements for oversight to ensure a consistent baseline safety of GH operations at EU aerodromes.
- Alignment of the GH Regulation with the other existing EU aviation regulations (aerodromes and air operations).

2. Stakeholders also expressed the following major concerns:

— Industry:

- The draft operational requirements for GH organisations are too granular and too prescriptive. This would hinder the application of industry standards, which are updated every year with lessons learned from daily operations and new technologies. This concern was raised particularly by large GH organisations and aircraft operator associations.
- The proposed rule on language proficiency is too prescriptive, not performance-based, not adequate to the needs of GH personnel.
- Which operational procedures take precedence if they are overlapping or contradicting: the aerodrome operator's, the aircraft operator's, or the GH organisation's?
- Multiple declarations submitted to many competent authorities by the same GH organisation operating in many EU Member States are overly burdensome, bureaucratic and inefficient.
- New requirements for competent authority oversight will be costly and will require many resources.
- Competent authority inspectors may not be experienced enough to perform GH audits and good and experienced inspectors are hard to find. It takes time to build competence of personnel.
- The new regulation with the additional layer of oversight from competent authorities will bring more audits for GH organisations on top of the already numerous third-party audits, and the GH industry is already suffocated by audits.
- Competent authority oversight results may not be recognised by aircraft operators and would not reduce the number of audits and the resources spent on third-party audits.
- Difficult to have a harmonised approach to audits by many competent authorities to the same GH organisation. Without an effective cooperative oversight system, the multiple declaration system will not work.
- Sharing of safety-relevant information will not work if this is required only from GH organisations. Similar rules must exist also for aircraft operators and aerodrome operators.

— Competent authorities:

- Impossibility to perform oversight to all GH organisations in a State within a single oversight cycle as proposed in the first draft (24 months) with some Member States having a large number of often very small GH organisations.
- Recruiting a sufficient number of competent inspectors could be a big challenge.
- Difficulty to implement cooperative oversight, ensure the same interpretation of the rules, agree on findings on the same issue raised on multiple aerodromes where a pan-European GH organisation provides services. The responsibilities of competent authorities involved in the oversight of the same pan-European GH organisation should be very clearly identified to avoid overlapping and duplication of the audit scope.

3. Stakeholders' main recommendations and suggestions for improvement of the first rulemaking proposal can be summarised as follows:

EASA should:

- aim at achieving global standards in GH operations;
- ensure that the rules do not provide the possibility for competent authorities to introduce national differences in their oversight approach so that harmonised implementation of the regulation and oversight are achieved;
- address the administrative burden of multiple declarations submitted by pan-European GHSPs to many competent authorities and of being subject to the same oversight by many competent authorities;
- standardise the audits of competent authorities to ensure harmonisation of GH operations, especially for pan-European GH organisations;
- ensure clear and consistent responsibilities of aircraft operators, GH organisation and aerodrome operators where their tasks overlap (interfaces);
- apply a performance-based approach to the GH Regulation;
- focus on defining the safety objectives of the rules (the 'what') and leave the method to achieve them (the 'how') to the industry and industry standards;
- allow for application by industry of industry standards and good practices to demonstrate compliance with the rules;
- more clearly define accountability for certain GH services;
- require declarations also by aerodrome operators providing GH services;
- include more elements from the ICAO Doc 10121 (Ground Handling Manual) into the GH rules;
- align the rules more with the recognised industry standards;
- amend Regulation (EU) No 139/2014 (on aerodromes) and Regulation (EU) No 965/2012 (on air operations) for equal treatment in the sharing of safety-relevant information;
- clarify the regulatory regime for aircraft operators using non-complex aircraft and performing self-handling;
- establish a reasonable transition period;
- have a pragmatic approach;
- allow for competent authorities to take into account in their oversight the results of audits performed by industry;
- ensure that the results of competent authority oversight are made known to the aircraft operators and aerodrome operators, to help reducing the number of audits performed by them to GH organisations.

2.5.2 Second consultation (2023)

The draft regulatory text was submitted in 2023 (July-September) to a second written consultation with the EASA Advisory Bodies, the GH Expert Group that supported EASA on RMT.0728 since the beginning of the GH Roadmap, and the Dangerous Goods European Liaison Group (DGELG).

EASA received approximately 1 270 comments from 25 industry stakeholders, 21 competent authorities, Eurocontrol, and the DGELG comprising industry and authority experts on the transportation of DG by air.

Industry stakeholders submitting comments covered the following categories: GH organisations and associations, a fuel storage and transportation company, aviation sector representation, commercial and non-commercial aircraft operators and associations, aircraft operators specialised in cargo operations, aerodrome operators and associations, and a workers' federation.

Below is a summary of the second consultation focusing on the most important or most frequent topics raised in the comments.

1. Stakeholders expressed support for the proposed GH regulation mainly regarding the following aspects:

- The total system approach in aviation safety by integrating the ground handling domain as a safety-critical stakeholder.
- The new approach on the use of industry standards and good practices on a voluntary basis, to show compliance with the GH Regulation.
- The integrated management system proposed in all three interfacing Regulations (GH, air operations and aerodromes).
- The effort towards the harmonisation of operational procedures by enabling the use of industry standards on a voluntary basis and requesting that deviations from those standards are identified and accompanied by a safety risk assessment. However, this objective can only be achieved through an agreement between aircraft operators and GHSPs, as the Basic Regulation requires that GH services are provided in accordance with the instructions of the aircraft operators.
- The equal requirements on sharing relevant safety information in all affected Regulations (GH, aerodromes and air operations).
- The lack of duplications of existing requirements in other applicable regulations.
- The proposed transition period (with a few exceptions).
- The introduction of the concepts of single air carrier business grouping, single GH organisation business grouping, and PPOB of a GH organisation, as these concepts allow for pan-European GH organisations to declare their activity only once to one competent authority and to have a more efficient oversight (cooperative oversight) by sharing the responsibilities for oversight among all the competent authorities involved.

2. Stakeholders raised the following main concerns and unaddressed issues:

- The authority requirements for inspector training and trainers are excessive, unrealistic, too restrictive, and should be more flexible.

- The number of audits to GH organisations will not decrease.
- It will take time before the competent authorities acquire the necessary competence to oversee GH activities. Competent authorities should rely in their oversight on the results of industry audit programmes that have been used by the industry for almost 20 years, as these programmes are the result of a significant amount of practical experience and lessons learned from daily operations.
- It is unclear how cooperative oversight will work in the case of GH organisations having a PPOB in a non-EU Member State and therefore cannot benefit from the advantages of cooperative oversight where the tasks are shared among the competent authorities concerned.
- The adoption of certain operational standards and equipment under the pressure of aircraft operators will bring additional costs to GH organisations.
- The training requirements are too prescriptive, too complex and difficult to follow. They are not similar to what exists in the other regulations. The competency-based training and assessment method (CBTA) is difficult to manage and there are insufficient details at AMC or GM level to implement this method. Moreover, the training requirements are not aligned with the aerodrome requirements on training.
- The requirement on language proficiency is still not sufficiently performance-based, and it does not address the rule's safety objective. It will be difficult to ensure or prove a certain level of proficiency if these levels are not identified in the regulation or referred to in another regulation or ICAO standards. Moreover, the rule is unnecessarily demanding for all the GH functions as proposed.
- Aerodrome operators may request GH organisations to provide certain GH services free of charge rather than in the form of contracted services, simply by introducing such instructions in the aerodrome manual, which is mandatory to be applied by the aerodrome users.
- At the moment it is unclear how the approvals required by Regulation (EU) 2022/1645 (Part-IS) (management of changes, the manual) can fit in a declaration regime.

3. Stakeholders' main recommendations and suggestions for improvement of the draft consulted in 2023 can be summarised as follows:

EASA should:

- define the regulation scope better for self-handling aircraft operators performing different types of flights such as training flights by training organisations, flights operated under a permit-to-fly by design or maintenance organisations, etc.;
- exclude from the scope aerodrome operators performing activities that are sufficiently covered by the application of the Aerodrome Regulation requirements;
- clarify the regulation scope in the case of aerodrome operators that only provide certain equipment and facilities (such as a centralised baggage sorting system or de-icing facilities) for the execution of GH services but are not involved in the operation of those equipment and facilities themselves;
- when defining the scope, consider all GH activities that pose a risk to safety, not just those GH activities for which there are safety occurrence reports;

- clarify the regulation scope regarding cargo operations and GH services performed in cargo warehouses;
- exempt from the GH Regulation the aerodrome operators providing services to passengers with reduced mobility as this is not a GH service and it is covered by another regulation;
- maintain the wording so as to remain technology-neutral as far as GSE and its operation is concerned, and person-neutral when referring to various GH functions such as aircraft turnaround coordination or load control functions (included in AMC to Regulation (EU) No 965/2012);
- keep a performance-based approach to the AMC detailing the load control process in Regulation (EU) No 965/2012, to fit different operational procedures applied by different aircraft operators to their load planning function and issuance of mass and balance documentation. In doing so, EASA should maintain the terminology already used in the Air OPS Regulation;
- provide more alleviations in the rules for small GH organisations to allow for a smooth implementation of the GH Regulation and reduce the impact on those service providers;
- provide clear rules or guidelines regarding the approval of the DG training programme of GH organisations. Today the ICAO Technical Instructions are implemented differently in each Member State, in their national legislations, where those exist. Some Member States approve it, some do not, and some do it only on request of GH organisations;
- clarify the training requirements, make them easier to apply and closer to today's 'traditional' methods. The training requirements should be aligned more with the aerodrome requirements;
- provide more flexibility regarding the prerequisites for GH inspectors of competent authorities by accepting inspectors from other domains to be trained and perform GH audits and inspections or only audit areas where they already have prior expertise (e.g. DG, equipment maintenance, etc.);
- allow for the application of a risk-based oversight from the beginning as this is already possible in some Member States that have been collecting a significant amount of safety reports on ground handling activities in the past few years. This would render the oversight more efficient for those Member States and the GH organisations under their oversight;
- allow for aircraft operators to have access to the results of audits performed by competent authorities to the GH organisations, to reduce the industry audits;
- propose clearer requirements on GSE to ensure the proposed objective of reducing the aircraft ground damage. To achieve this objective, the regulation should require the equipage of GSE with enhanced means for collision detection (enhanced GSE);
- revise the operational requirements to be more aligned with the current operational practices while maintaining the required safety level for operations around the aircraft;
- make more efforts toward the standardisation of the operational requirements for the provision of GH services;
- ensure consistency in the terminology used throughout the rules;

- propose changes to Part-IS to enable the implementation of those requirements to organisations operating under a declaration regime, which does not require an approval. The relevant implementing rules in the GH Regulation should reflect the application of the IS requirements without a prior approval being mandatory.

2.5.3 Continuous consultation between 2019 and 2023 until Opinion publication

EASA maintained constant communication and consulted intensively between 2019 and 2023 with the Advisory Bodies, the GH Expert Group, additional experts in various GH domains, as well as competent authority inspectors and DG experts. Various forms of consultation were employed: face-to-face and online meetings with the GH Expert Group, regular Advisory Body meetings, a webinar (in 2022) that reached a live-event attendance of 1 000 participants and further 2 000 viewers, ad hoc meetings with various stakeholders involved in the development of the draft rules, and questions and surveys sent via email.

2.5.4 How we considered the comments

The proposal for the EU GH Regulation and the proposed amendments to Regulations (EU) No 965/2012, No 139/2014 and 2022/1645 are based on all the verbal and written consultations since 2019 to the present day during the RMT.0728 development process, as well as the last wide-scale written consultation that took place in 2023.

The first draft proposal for a GH regulation published in 2022 was based on the GH Roadmap and the Concept Papers.

In 2023, EASA adjusted the initial proposal taking into account the results of the completed RIA, as well as the stakeholders' comments on the first draft. The second draft that was consulted in July-September 2023 included new elements and improvements on rule efficiency or clarity: among others, a different oversight cycle (48 months instead of 24 months), more stringent requirements regarding the GSE to diminish aircraft damage generated by vehicle movement around aircraft, a new approach on the acceptance of industry standards, more streamlined safety reporting, as well as a more efficient approach on the cooperative oversight process. The second consultation included the draft regulatory material for a GH Regulation, the proposed amendments to Regulations (EU) No 965/2012, No 139/2014 and 2022/1645, and the full RIA.

The third and final version of the proposed regulatory material presented in this Opinion considers both the comments received during the second consultation and again the results of the RIA, by including adjusted or new proposed requirements to address, among others, the proportionality issue, more flexibility in the oversight and authority requirements, more streamlined rules on training, improved safety in the services to passengers with reduced mobility, safety of DG storage facilities.

Details on the proposed solutions which take into account the feedback received during the continuous consultation, including the last round of consultation conducted in 2023 can be found below in Section 2.6 'How we want to achieve it'.

2.6. How we want to achieve the objectives — overview of the proposed requirements

To address the issues described in Section 2.2, it is considered that a regulatory framework is necessary to ensure the implementation of a scalable SMS for all organisations providing GH services, to support organisations in implementing and fostering a safety culture, to apply a training programme

that aims at developing adequate competencies in personnel, and to establish the ground for a future risk-based oversight of GH services and organisations.

The proposed content of the GH Regulation is structured as follows:

- *Cover Regulation*, which includes several articles that define the scope and the main responsibilities of GH organisations and competent authorities.
- *Annex I (Part-GH.DEF)*, which contains the definitions of terms used in the Regulation.
- *Annex II (Part-ORGH)*, which contains the organisational requirements for GH organisations. Also, some parts of this Annex have been aligned with the other existing EU regulations, to ensure a smooth integration of the new GH elements into the already existing management systems of other organisations, such as aircraft operators or aerodrome operators. This Annex includes the management system requirements as an overarching pillar, to cover multiple subsystems:
 - safety management, safety culture, safety reporting, personnel, facilities, annual internal review,
 - documentation,
 - declaration and management of changes,
 - training of GH personnel, and
 - GSE and the GSE maintenance programme.
- *Annex III (Part GH.OPS)*, which contains safety objectives for the operational requirements for the GH activities at high level, to allow GH organisations to develop their own standard operational procedures for the GH services that they provide.
- A separate Commission Implementing Regulation included in this Opinion package contains the authority requirements (Part-ARGH) for the oversight of GH services and organisations providing them. Also the content of this Regulation has been aligned, where feasible, with the other existing EU aviation safety regulations.

EASA proposes several solutions to achieve the objectives indicated in Section 2.4 and address the main issues highlighted in phases 1 and 2 of the GH Roadmap, which were confirmed through the comments on the first draft published in 2022 and respectively the second draft submitted to the advisory Bodies and the GH Expert Group in 2023. Alignment with the existing EU regulations has been sought as much as possible and wherever feasible. ICAO Doc 10121 Ground Handling Manual and the industry standards and good practices have also been consulted and used in preparation of the final draft regulatory material.

With a few exceptions less relevant for ground handling operations, almost all the safety issues related to ground handling activities identified and included in the EASA Safety Risk Portfolio for Aerodromes and Ground Handling are reflected in the draft Commission Delegated Regulation on ground handling, either as organisational mitigation measures (in Annex II) or as operational requirements (Annex III). High-level safety objectives for each GH activity have been proposed at implementing rule level for the operational part. It is expected that the future analysis of the safety issues in the Safety Risk Portfolio performed by EASA and its collaborative analysis groups will provide the GH Regulation and

related AMC and GM with more evidence-based material as mitigations to address the root causes of those safety issues.

The following points provide details on how the future Commission Delegated Regulation and the Commission Implementing Regulation on ground handling¹⁵ propose to achieve the objectives stated above and to address the comments and suggestions received from the last consultations in 2023:

1. Regulation scope

The regulation scope is clarified in Article 2 of the Commission Delegated Regulation. Paragraph 1 of Article 2 identifies the organisations providing GH services to which the GH Regulation applies. This is intended to cover different business models of GH organisations and of aircraft operators, for efficiency reasons: there are GH organisations registered in every Member State and belonging to the same parent-company. There are also aircraft operators performing self-handling to themselves and also to other aircraft operators that are members of the same business grouping. The draft rules in Part-ARGH and Part-ORGH applicable to these very specific business models propose a pragmatic approach, to allow for application of the same operational procedures and training within the same business grouping and also to allow for an efficient cooperative oversight.

Paragraph 2 of Article 2 of the Commission Delegated Regulation: The proposed GH services included in the scope are based on the list of GH services in the Annex to the GH Directive 96/67/EC and the definition of ground handling services in the Basic Regulation. Every individual service on the GH Directive list was carefully discussed and analysed with the GH Expert group, and only the GH services that have a safety component were kept in the scope of the GH Regulation. The definition provided in the Basic Regulation is broader and does not provide details on the GH services included, for example, in ‘apron handling of aircraft’ or ‘aircraft services’. The proposed delegated act details these services using the GH Directive and therefore covers explicitly activities such as aircraft arrival and departure activities, potable water services, toilet services, aircraft exterior cleaning, aircraft de-icing, aircraft loading and unloading. Also, the Basic Regulation definition identifies loading of catering as a separate activity; in the GH Regulation, this is not treated as a separate activity, but covered under aircraft loading and unloading. Ground supervision is kept in the scope of the GH Regulation only when provided by the GH organisation as a service requested by the air operator. Instead, when it is performed as self-handling by the aircraft operator’s personnel, this is covered by the Air OPS Regulation, and this decision is based on a proportionality principle.

Ground transportation of passengers and crew members is proposed to be kept in the scope of the GH Regulation as a service that may be provided upon request to an aircraft operator. The current requirements of Regulation (EU) No 139/2014 cover the authorisation of vehicle drivers, operation of vehicles and authorisation of vehicles that are driven on the aerodrome movement area (which includes the apron); however, the responsibility for the safety of passengers and crews during ground transportation between the aerodrome terminal and the aircraft is not clearly defined in any current regulation. While responsibility for passenger and crew safety remains with the aircraft operator, the GH organisation providing their ground transportation is sharing part of this responsibility in how they

¹⁵ *Note:* This Opinion proposes two different regulatory acts on ground handling: an implementing regulation containing authority requirements and a delegated regulation containing organisational requirements. The two proposed regulations have different legal bases in the Basic Regulation. Nevertheless, when the wording ‘GH Regulation’ is used in the text below, it is intended to refer to both proposed regulations as a complete unit, unless otherwise specified in the text.

train their drivers, how well they maintain their cars or buses, and how well they identify and mitigate the hazards and risks of this activity. It is important that the GH Regulation identifies this responsibility and clarifies that the GH organisation has to include this activity in its SMS, procedures, training, GSE maintenance.

Final weighing and tagging of unit load devices (ULDs) is a proposal added last, after the second written consultation, as suggested by comments from cargo operators, as feedback from reports: they see the majority of GH issues stemming from false weighing or application of ULD tags, transmission of data to load planners and wrong allocation of ULD weights to positions in the aircraft after wrong weighing. Root causes are non-calibrated scales, wrong weighing (e.g. a dolly is not fully standing on a floor scale) or wrong weights of empty containers or vehicles (tare weights).

The scope also clarifies in paragraph (4) of Article 2 that the current regulatory material refers only to GH services provided to aeroplanes. Helicopters are not included in the first issue of the GH Regulation as EASA did not have adequate expertise in the group to assess the issue in order to develop any regulatory material for GH for rotorcraft.

2. Exemptions

Some **exemptions** listed in paragraph (3) of Article 2 of the GH delegated act are proposed **to keep the ground handling rules proportional, effective and not duplicate existing requirements**. While the Basic Regulation definition of ground handling services establishes the scope of the GH Regulation, it has been considered that some activities and the organisations performing them should be exempted from compliance with the GH Regulation as follows:

- (a) The GH services covered by other aviation safety regulations. The proposed exemptions have been discussed with the expert group and the Air OPS TEB members and found to be adequate for the scope. For example, activities such as oil handling, aircraft exterior cleaning when performed by a maintenance organisation, load control (the load planning phase), flight dispatch, or aircraft marshalling are not included in the scope of the GH Regulation as they are addressed in other regulations: Continuing Airworthiness Regulation (Regulation (EU) No 1321/2014), Air OPS Regulation (Regulation (EU) No 965/2012), Aerodrome Regulation (Regulation (EU) No 139/2014) and Standardised European Rules of the Air (SERA) Regulation (Regulation (EU) No 923/2012).
- (b) **Ground transportation of persons, other than passengers and crew members.** This is the case when the GH organisation transports its own personnel or other persons, as may be required per the contractual agreement with the aircraft operators, or uses drivers and cars to move between different places of the airside (movement area). Compliance with the applicable requirements of the Aerodrome Regulation concerning the authorisation of vehicle drivers and authorisation of vehicles is considered sufficient to cover the safety risks and the GH organisation is not required to declare these activities. Requiring additional compliance with the GH Regulation would bring no added value to the safety of those activities or the safety of flights.
- (c) Self-handling of aircraft operators of commercial air transport (CAT) operations using other-than-complex motor-powered aircraft.

- (d) Self-handling of any operators of non-CAT operations (be it non-commercial or specialised operations, flights performed by training organisations, or flights performed by design and maintenance organisations).

ORO.GEN.110(e) and (f) of Regulation (EU) No 965/2012 already require operators to have instructions and procedures for ground operations and to ensure that personnel involved in ground operations are properly trained. Furthermore, ground handling training for pilots is covered in AMC1 ORO.FC.120, AMC3 ORO.FC.120(a)(2) for SPO and NCC, and recurrent training is covered in AMC1 ORO.FC.130, AMC1 ORO.FC.220(a)(1)(i) for CAT operations. For operations performed in accordance with Part-NCC, Part-NCO, and Part-SPO, as well as for CAT operations with other-than-complex motor-powered aircraft, the existing Air OPS requirements are deemed sufficient to ensure compliance with the GH Regulation as far as the training of their personnel and the development and application of operational procedures for ground handling are concerned.

- (e) **GH services for passengers with reduced mobility when provided by aerodrome operators** with their own personnel (i.e. not contracted to a third party) and when this is the only GH service provided (not cumulated with other GH activities). This exemption is based on the fact that aerodrome operators are responsible for compliance with another existing regulation for this service, which is Regulation (EC) No 1107/2006. It is considered that full compliance with the GH Regulation does not bring any added value to the safety of this service once the training of the responsible aerodrome personnel covers safety aspects related to DG, to ensure safe handling of passengers' mobility devices (added at AMC level in the aerodrome rules). Any additional GH service provided by the aerodrome operator with its own personnel makes that aerodrome operator a GH organisation and subject to declaration and compliance with the GH Regulation.

3. New concepts

Besides the typical **definitions of terms**, operations, and processes specific to GH activities, **new concepts** are introduced: (1) 'single GH organisation business grouping', to enable extending the scope of self-handling from one aircraft operator to the entire group of aircraft operators that belong to the same business group; (2) 'organisation providing GH services in more than one Member State', a term for easier reference and clarity ('pan-European GH organisations') for those GH organisations providing services in more than one Member State or which is subject to oversight by more than one competent authority when it provides services in a Member State that appoints more than one competent authority.

4. Terminology

Terminology is aligned with the other EU aviation regulations. For example, 'compliance monitoring' is used instead of 'quality management'. 'Management system' is used as a concept that encompasses other subsystems, including safety management or documents and records.

The terms used throughout the draft GH Regulations, both the implementing and the delegated act, are consistent with the following regulations and standards, in this order: (1) other EU aviation regulations, including the Basic Regulation; (2) other EU regulations covering a different scope (e.g. Regulation (EU) No 1107/2006 on the rights of disabled passengers and persons with reduced mobility); (3) ICAO; (4) Industry standards and best practices.



5. Safety management

Establishing a **minimum level of safety** to be achieved by all GH organisations providing GH services at EU aerodromes within the Basic Regulation scope is reflected in the proposed management system requirements in ORGH.MGM.200. The rules are scalable to the size and complexity of an organisation and allow an organic growth from simple to complex. The implementing rules contain the clear safety objective for the implementation of various elements of the management system such as the safety management system (SMS) (ORGH.MGM.200), safety on the apron (GH.OPS.300), personnel requirements (ORGH.MGM.210), management of changes (ORGH.GEN.130), training of personnel (ORGH.TRG.100), documents and records (Subpart ORGH.DOC), maintenance programme for GSE (Subpart ORGH.GSE). At the same time, the flexibility in their application to large and small GH organisations is provided either directly in the implementing rules or at AMC level. This approach considers the lessons learned from other aviation domains, which have proven that it is better to build a regulatory framework having in mind an organic growth of an organisation from simple to complex rather than adjusting a complex regulatory system to smaller, less complex organisations. Moreover, while the safety risk inherent in different types of GH activities should be properly reflected in an organisation's safety management actions (a scalable SMS enabled through the rules), the rules can provide more alleviations to smaller organisations with regard to compliance with the rules addressing administrative aspects. The proposed alleviations apply to small GH organisations of up to maximum 10 full-time equivalents (FTEs) and are related to the requirements addressing the management of changes (ORGH.GEN.130), safety reporting system (ORGH.GEN.165), compliance monitoring (at AMC level under ORGH.MGM.200), annual internal review (ORGH.MGM.202), personnel (ORGH.MGM.210), training programme for GH personnel (ORGH.TRG.100).

6. Safety culture

The low number of reports on GH occurrences submitted by GH organisations might indicate a low level of safety culture. Development and implementation of an SMS, with its important just culture component, are now included in the requirements. EASA is aware that the existence of requirements on safety culture does not automatically translate into the existence of a safety culture; its development and growth are independent from any requirements. That is why the rule is kept to a minimum, as a necessary legal basis, but the effective implementation of the safety culture will be done at practical level. Integrating GH organisations as an important safety stakeholder in their own right within the EU's aviation safety framework will help in the development of a safety culture. Details about how an organisation can implement and grow a safety culture are provided at GM level.

On the safety culture topic, EASA is currently working on a **general method to assess the safety culture of an organisation**. Although initiated as a project in another domain, its outcome can be used in any other aviation organisation and will certainly be transposed in the GH domain.

7. Exchanging relevant safety information

Providing a legal ground for **exchanging relevant safety information** among the main stakeholders in GH operation has been strongly highlighted during the work on RMT.0728. The purpose of mutual sharing of safety-relevant information is to ensure a common approach of GH organisations, aircraft operators, and aerodrome operators when addressing processes and operations where two or even three stakeholders have responsibilities in their domain, for example, refuelling operations, or safety of passengers on the apron for boarding and disembarkation, or de-icing/anti-icing operations.

Sharing of safety-relevant information would go beyond the occurrence-reporting obligations and it should not be done in one direction only – from GH organisations to aircraft operators and aerodromes; this should be a mutual exchange that goes both ways, as GH organisations should also receive safety-relevant information from aerodrome operators and air operators if the safety of their own operations would be affected or can be improved. This aspect, identified as a potential safety concern also by the Collaborative Analysis Group for Aerodromes and Ground Handling, is proposed to be covered by several rules: the management system requirement for GH organisations, the corrective actions to findings and safety reporting.

Equivalent amendments to the Air OPS Regulation and the Aerodrome Regulation are also proposed to mirror the GH provision in the delegated act. The existing aerodrome requirement covering safety programmes can also be used to implement this requirement.

8. Safety reporting obligations

The reporting obligations under Regulation (EU) No 376/2014 establish a vertical line of reporting, from the organisation to the competent authority, and the Basic Regulation establishes additional but horizontal lines of reporting to ensure continuous improvement of safety. Compliance with both of them should enable circulation of safety-relevant information to all actors concerned. However, it should be highlighted that there is a risk that the result of reporting may be the opposite of what is intended with this rule: less reporting, decrease of safety if the obligation to report implies narrating the same event in several different ways, to several different organisations/institutions using several different channels and formats, with different taxonomies and, last but not least, when there is insufficient or no feedback on reporting. When the time spent on reporting reduces the time spent on identifying the root causes and proper mitigations, the tendency will clearly be ‘less reporting’. Regulators responsible for both Regulations mentioned above should consider this unintended effect and find a common solution to simplify reporting by organisations.

Below is a comparison of reporting obligations for a GH organisation (mandatory reporting as required by Regulation (EU) No 376/2014 and the Basic Regulation, and recommended reporting in the case of TI for DG):

Reports shall be sent to:	Regulation (EU) No 376/2014; 2015/1018	Regulation (EU) 2022/1645 (Part-IS)	Basic Regulation	ICAO TI (only DG events)
National civil aviation authority (of the organisation)	X	X		
Any other authority designated by the Member State where the occurrence took place (e.g. safety investigation authority)	X			
Aircraft operator			X	
Aerodrome operator			X	

If relevant: air traffic service provider			X	
Appropriate authority of the State of occurrence (i.e. the national competent authority or authorities designated or otherwise recognised by a State to perform specific functions related to the DG provisions in the State where the occurrence took place.) <i>EASA Note: This could be the same with the competent authority of the GH organisation</i>				X (‘should’ for GHSPs)
Appropriate authority of the State of the operator				X (‘should’ for GHSPs)

It is proposed to bring together the reporting obligations of both Regulation (EU) No 376/2014 and the Basic Regulation in one rule (ORGH.GEN.160) since the common aim of reporting is to improve safety of operations and collect relevant information from those reports. Both these regulations address reporting of safety events but there are certain overlaps, as well as differences, which should be clearly identified. The link between occurrence-reporting requirements and safety management system requirements applicable to competent authorities and GH organisations must be addressed in an unambiguous way.

Regulation (EU) No 376/2014 covers only vertical reporting – from the front-line organisation to the competent authority. The Basic Regulation covers also horizontal reporting – to other organisations concerned if the information is relevant for the safety of their own operation. This enables the sharing of relevant safety information already collected for an occurrence and puts less focus on the form of reporting but rather on the necessity that the relevant safety information is shared with other organisations.

Points (a) and (b) of ORGH.GEN.160 ensure compliance with Regulation (EU) No 376/2014. In point (b), ‘any other organisation required to be informed by the Member State’ refers to the accident/incident investigation body under the control of the State. Reporting of DG events is included in point (b)(1) of ORGH.GEN.160 as an obligation under Regulations (EU) No 376/2014 and (EU) 2015/1018 (Annex IV, point 2.3.(4)). To remove unnecessary duplications of reporting of these events, the regulatory material requires the GH organisation to submit a DG report to the appropriate authority of the State of occurrence (per Regulation (EU) No 376/2014) and to the affected aircraft operator (per the Basic Regulation). From there on, the other regulations ensure the next reporting, from the aircraft operator to its own competent authority¹⁶.

¹⁶ Dangerous goods experts who were consulted on the draft regulatory material have highlighted that in the ICAO Doc 9284 ‘Technical Instructions for the Safe Transport of Dangerous Goods by Air (TI)’, the GH activities are not considered the responsibility of a separate entity, but of the aircraft operator. This may be due to the fact that none of the current ICAO Annexes establishes any standards and recommended practices for GHSPs.

Point (c) ensures compliance with point 4.2.2 of Annex VII ‘Essential Requirements for aerodromes’ to the Basic Regulation and with ADR.OR.D.030 of Regulation (EU) No 139/2014.

While the Basic Regulation does not establish a mutual obligation for aircraft operators or aerodrome operators to report also to other organisations concerned, as it is the case for GH organisations, the Aerodrome Regulation already has a relevant rule in ADR.OR.D.030 ‘Safety reporting system’ that requires the aerodrome operator to establish and implement a safety reporting system for all organisations providing services or operating at an aerodrome that are relevant to the safety concern so that said organisations participate in the analysis of safety reports. Under RMT.0728, EASA proposes amendments to the Air OPS Regulation and the Aerodrome Regulation to allow for the sharing of safety-relevant information resulted from findings from aircraft operators and aerodrome operators to GH organisations¹⁷.

The additional proposed implementing rule ORGH.GEN.165 focuses on the elements to be covered when setting up a safety reporting system to ensure that safety reporting will contribute to the development of a safety culture within the organisation.

9. Industry standards

- (a) EASA proposes a **new approach towards the use of industry standards** to comply with the GH Regulation, mostly addressing the operational requirements. A new implementing rule (ARGH.OVS.310) in the authority requirements is proposed to establish the legal ground for EASA and the competent authorities to work together in a process to validate (i.e. accept) the use of those industry standards that meet certain quality criteria and demonstrate compliance with the GH Regulation. Through this process, EASA ensures that the content of those industry standards is being evaluated on a regular basis in a common process involving the Member States, and the result of this assessment is valid for all the EASA Member States applying the EU rules on ground handling. This way, competent authorities no longer need to assess times and again the content of those industry standards each time they oversee an organisation that uses them, but rather focus on verifying that the organisation actually applies what is written in its documents and manuals – the correspondence between documentation and implementation as well as the safety management system implementation. A minimum set of quality criteria for a ‘good’ industry standard is detailed in the rule as well, both in ARGH.OVS.310 and ORGH.GEN.125, to allow for an easier identification of those standards or good practices that will be evaluated by EASA and the Member States. This new approach towards the acceptance of the use of many different industry standards that are applied today in the GH industry is in line with one of the recitals of the Basic Regulation: ‘[...] Use should be made of recognised industry standards and practices, where it has been found that they ensure compliance with the essential requirements set out in this Regulation’.
- (b) Certain industry standards are already recognised by an official standardisation body, such as the EN standards for the design and operation of GSE, and they are published in the Official Journal. For such recognised industry standards, the process of evaluation should be minimum

¹⁷ Furthermore, ADR.OR.D.030 of Regulation (EU) No 139/2014 is proposed to be changed under Opinion No 04/2023 (RMT.0591) by adding the requirement for the aerodrome operator to establish reporting arrangements with all organisations that operate or provide services at the aerodrome whose activities or products may have an effect on aircraft safety. At the same time, NPA 2022-11 of RMT.0392 proposes a change to the occurrence-reporting rule ORO.GEN.160 to allow for the sharing of relevant safety information with other organisations concerned.

and may only consist in checking that those standards address the scope of the implementing rules.

- (c) GH is not a new aviation sector; it is as old (or as young) as the entire aviation domain and it has grown together with the rest of aviation sectors. But because it was never regulated in a consistent manner before, it had to self-regulate somehow. And it did: the absence of regulations led to the development of industry standards and good practices. A tremendous body of knowledge and good experience has been accumulated in the ground handling sector in the past decades. That is why the GH Regulation cannot come up with something completely new, and the proposed regulatory material does not propose to reinvent the wheel. All existing knowledge, experience and lessons learned and put in a continuous improvement of safety in GH operations must be acknowledged, put to good use, and this is the intent with the new approach towards industry standards and good practices in the GH domain, which practically cover almost every aspect of the GH activities.
- (d) The industry standards will not become mandatory to be implemented by the entire industry. Application of industry standards should remain voluntary. The process of recognising the added value of adopting and applying industry standards, when this simplifies and harmonises the way in which ‘things are being done safely’, is expected to come from industry itself. Adopting industry standards remains a voluntary decision for each organisation. GH organisations, aircraft operators, aerodrome operators that apply industry standards today may continue to do so in the future. Likewise, organisations that use their own operational procedures may continue to apply them with the future GH regulation. This approach allows for the necessary flexibility in compliance with the implementing rules.
- (e) EASA does not intend to refer to individual industry standards in the implementing rules because those standards and good practices are being updated on a frequent basis (every 1 or 2 years), taking stock of daily experience, lessons learned, and safety occurrences. Industry should always apply the latest update of those standards and the rules should enable that rather than include a static reference that needs to be updated as frequently as those documents. EASA cannot keep pace with making such frequent changes to its AMC and also does not have the same outreach to GH experts as industry does to develop and maintain those industry standards and good practices. At the same time, new industry standards and good practices may be developed in the future as well, and the rules should be drafted so as to enable and accept their use rather fast and efficiently.
- (f) **Among the most important achievements of the approach on industry standards is the moving forward towards harmonisation (standardisation) of operational procedures for GH activities across the EASA Member States.** This will certainly not remove the responsibility of competent authorities to perform the oversight, but it might help them to decide on the amount of scrutiny they wish to put during their oversight and possibly reduce the frequency of their audits or the scope.
- (g) ARGH.OVS.305(c) — Competent authorities can decide whether they wish to take into account, for oversight scope or frequency, the fact that an organisation uses industry standards and good practices to comply with the implementing rules. The relevant point in this approach is that the authority first *assesses* whether the use of industry standards by the organisation subject to oversight is relevant for the scope of its oversight — a task that is now taken over and completed

with the implementation of the proposed rule on industry standards (ARGH.OVS.310), and *then decides* whether to adapt the scope or frequency of its oversight based on this information or not. That is why the wording ‘shall *consider*’ has been chosen instead of a stronger requirement such as ‘the competent authority shall *adapt* the scope or frequency of its oversight’: the second wording would not offer any option to choose (*shall adapt*); the first one does (*shall consider*).

- (h) A mirroring requirement has been proposed for organisations (ORGH.GEN.125) to specify that the use of industry standards to ensure compliance with the GH Regulation is not mandatory for all organisations, but voluntary. When an organisation decides to use industry standards, it has to ensure that those standards comply with the quality criteria described in the requirement.

10. Fewer audits to GH organisations

A complex and multi-sided approach is proposed to achieve this objective:

- (a) Firstly, the competent authority takes over the responsibility for, and performs, the oversight of GH organisations in a coordinated and systematic way. The oversight activities will ensure that the minimum level of safety of the GH organisations required by the GH Regulation is achieved, so that aircraft operators would no longer have to duplicate the same audits to those GH organisations.
- (b) Secondly, the Air OPS rules on contracted activities are proposed to be clarified: the rule with its AMC and GM should cater for a proportionate auditing by aircraft operators of their third-party GHSPs: the GH organisations that provide services under the terms of a declaration in compliance with the GH Regulation should no longer be audited as much as today; aircraft operators should also consider the results of the competent authority oversight of those GH organisations and rather adopt a risk-based approach towards the declared GH organisations. GH organisations will develop and implement a management system themselves and will be capable of assessing and mitigating the safety risk of their own services. This means that aircraft operators should be able to focus in their audits of contracted GHSPs on elements that are more particular to their own operational procedures and specific requests, or services that are not verified by the competent authority on a yearly basis, such as de-icing that today is being verified before the beginning of every winter season. The other elements of a GH organisation will already be subject to oversight by the competent authorities – the organisations’ management system, SMS, training programme, compliance monitoring function, management of changes, GSE maintenance programme, etc.
- (c) Thirdly, it is proposed that if GH organisations apply recognised industry standards and best practices to demonstrate compliance with the regulation, the scope of oversight and the frequency of their audits can be adjusted on a risk-based approach.
- (d) Fourthly, each competent authority may decide to what extent they intend to rely in their oversight programme on the results of industry audits that verify the application of industry standards and good practices.
- (e) The proposed approach will, most likely, not produce the expected results in the first years after the GH regulation becomes applicable. This type of trust in other organisations’ verifications, audits, inspections is built in years and the results are seen over a period of time. It is, however,

estimated that it will reduce the number of audits to GH organisations in the long run, once the system is established, it has been subject to a certain routine, and has managed to instil trust in the stakeholders benefitting from its results. This approach also aims at creating the ground for competent authorities to build sufficient data for a risk-based oversight.

11. Identification of interfaces

Identification of interfaces (i.e. the common elements where the activities and/or responsibilities of the three stakeholders above overlap or complement each other) between GH organisations, aircraft operators, and aerodrome operators is addressed mainly in GH.OPS.010, in Annex IV, as the interfaces occur mostly at the level of operations. This part relies on the material provided by ICAO Doc 10121 Ground Handling Manual and the input from the GH experts who provided support to EASA during the development and implementation of the GH Roadmap. Several other implementing rules also refer to the development of interfaces, such as the management system general requirement of ORGH.GEN.200 or the safety reporting system, to enable sharing of safety-relevant information.

This requirement is also mirrored in the proposed amendments to the other two regulations on air operations and aerodromes.

12. Personnel requirements

EASA proposes, under the **personnel requirements** in ORGH.MGM.210, a minimum number of nominated persons for the key safety functions in a GH organisation: safety management, training of GH personnel, operations, and, where applicable, cargo operations. Several other relevant functions are also identified in this rule; they are kept flexible for organisations to fill in, depending on their complexity: compliance monitoring, safety performance at each aerodrome, GSE management and maintenance, supervisory functions.

13. Declaration

The **declaration** requirements establish a start-and-sign process that does not require any prior approval to start operation. Several elements that the GH organisation should consider prior to starting operation are also provided. The declaration requirement is aligned with the rule detailing the management of changes within the GH organisation.

For GH organisations that are already operating at the time when the GH Regulation becomes applicable, the possibility to continue operating without pause and to ensure compliance with the declaration requirement is established in Article 3 of the proposed Commission Delegated Regulation. In any scenario, GH organisations do not require a prior approval of the competent authority before they can start operating.

The declaration form contains two parts: the introductory part, which contains general information about the GH organisation as a whole, and an annex that should be filled in separately for each aerodrome (or station) where the GH organisation provides services; the purpose of the second part is to inform the competent authority briefly of the GH services provided at each airport and the contact details of the responsible person. All is structured in an easy-to-fill, easy-to-read format.

14. Who is my competent authority?

There are two implementing rules providing details for the proper identification of the competent authority of an organisation providing GH services, and they mirror each other: one is in the authority

requirements (**ARGH.GEN.100**), the other one is in the organisation requirements (**ORGH.GEN.105**). Each of them is written from the perspective of the entity to which it applies: i.e. ARGH.GEN.100 is written from the perspective of a competent authority; ORGH.GEN.105 is written from the perspective of an organisation providing GH services, be it a GHSP or a self-handling aircraft operator. ARGH.GEN.100 focuses on competent authorities' responsibility when receiving a declaration and is linked to the other relevant rules related to the oversight responsibility of the competent authorities. ORGH.GEN.105 focuses on the main elements that help an organisation to identify which its competent authority is, to which it has to submit its declaration.

In drafting these rules, due consideration has been paid to the different business cases existing in the GH sector: a GH organisation operating only at one aerodrome or in only one Member State versus a pan-European GH organisation that operates in multiple Member States and has more than one competent authority.

The rules propose several solutions based on what the Basic Regulation provides: the recognition and validity of declarations in all Member States (Article 67(1), the repository of information (Article 74), and the cooperative oversight process.

The concept of an organisation's PPoB is proposed to be introduced to streamline the declaration submission process, as well as the cooperative oversight process and sharing of oversight responsibilities between the competent authorities involved in the oversight of an organisation that provides GH services in more than one Member State. The text describing the main characteristics to identify an organisation's PPoB is based on European Commission guidelines to Member States. It is supposed to also cover the case of a single GH organisation business grouping, which consists of multiple branches of the same 'parent' company, when the branches are each registered in a different State.

The recognition and validity of the declarations in all Member States make it possible for GH organisations providing services in more than one Member State to submit only one declaration instead of, for example, 16 or more, if it operates in 16+ Member States, and be recognised in all Member States. The format of the declaration contains details about all the aerodromes in all Member States where a GH organisation provides services. When the declaration is uploaded in the repository of information, it automatically reaches out all the competent authorities concerned. It is considered that the GH organisation declares its activities to all the competent authorities of the aerodromes where it provides services.

This approach – of submitting the declaration only once instead of 16+ times, with the declaration containing all the information necessary for all the 16+ Member States – does not contradict the Basic Regulation provisions regarding the enforcement and oversight responsibilities of the competent authorities. Each competent authority of the aerodromes included in the declaration will remain fully responsible for the oversight of that GH organisation in their area of jurisdiction. It only simplifies the process of submitting the declarations.

Sharing of responsibilities among the competent authorities through the cooperative oversight process is meant to streamline the oversight process. The intent is to avoid repetitions in auditing the same elements of an organisation multiple times (16+ times) by all the 16+ competent authorities at all aerodromes. The majority of GH organisations providing services in more States have and apply the same management system, processes, procedures, quality management, training of personnel, etc.

Overseeing these elements over and over again leads to a counterproductive oversight process, not to say overly expensive for both competent authorities and GH organisations. This is where cooperative oversight has a crucial role in simplifying and rendering the oversight process more efficient, without diminishing the enforcement and oversight responsibilities of any of the competent authorities involved in the process. Please see point 22 below for more details about cooperative oversight.

It should be highlighted that the proposal does not ensure the same simplified process for pan-European GH organisations whose PPOB is not registered in an EASA Member State as for those organisations whose PPOB is registered in an EASA Member State. See below also points 20 and 21 on cooperative oversight.

15. Ground handling manual

The essential requirement related to the **ground handling manual** is further developed in the proposed new rules. The ground handling manual, as part of the organisation's documentation system, can be one manual or a set of manuals and procedures that relate to each other. Aircraft operators and aerodrome operators have the flexibility to include the GH elements in their manuals or keep the ground handling manual as a separate document, as it is the case already today. The proper name to be used in the GH Regulation to identify the manual of a GH organisation has also been discussed: on the one hand, the term 'ground operations' in 'ground operations manual' might be confused with the 'ground operations training' of flight crew. On the other hand, 'ground operations manual' and its acronym (GOM) are broadly used by industry to identify the manual that contains only the operational procedures for the GH services. Eventually it has been decided to name it 'ground handling manual' (GHM), similar to the manuals of organisations in the other domains (Operations Manual of air operators; Aerodrome Manual), which contain documented processes and procedures, organisational structure, training programmes, operational procedures, etc. The GHM may consist of a set of manuals or just one – this is for the organisation to decide; the important aspect is that the separate parts of the GHM refer to one another.

16. Training of GH personnel

The proposed **training requirements** are expected to improve the regularity and compliance with the established training programme within the GH industry and to improve the safe provision of GH services. The main types of training, the general theoretical content of the training, and the general structure of the training programme are included at implementing rule level (ORGH.TRG.100, ORGH.TRG.110 for DG). The content is provided in AMC and GM. The second consultation of the draft rules highlighted the difficulty of implementing a competency-based training and assessment (CBTA) programme for GH safety-critical functions initially proposed in the previous drafts at implementing rule level. Therefore, the final version considered the feedback provided in those comments and the CBTA proposal has been removed from the proposed requirement. The training programme is more aligned with the existing training programmes in the aerodrome domain. The CBTA method with the incipient material was left at GM level, for future development. Any project in that regard developed in the future by industry or by ICAO will be considered for this project.

A new requirement (ORGH.TRG.105) is proposed to support mobility of personnel across organisations or countries, training recognition across organisations, and reduce the training costs upon re-training of a new employee that proves to already have the necessary competencies from the previous

employment. This requirement states that the GH organisation must provide the employee with a copy of their training records, upon request. The person is then free to convey this information to their new employer.

Additional elements at AMC level, to address the specific knowledge components for the main safety-relevant GH roles, aligned with the industry standards, are expected to further harmonise the training in GH and facilitate the mobility of persons.

A separate but specific topic is the **DG training programme of GH organisations**.

A question was raised during the consultation of the draft GH rules developed under RMT.0728 'Ground Handling Requirements' in the summer of 2023: should the future GH Regulation include a requirement for the approval of the DG training programme for GHSPs or not?

DG handling is part of the core ground handling activities included in the definition of GH: passenger handling, baggage handling, freight and mail handling, aircraft refuelling, apron handling of aircraft (which includes aircraft loading and unloading). A GH organisation handles DG during all the activities mentioned above.

Today the ICAO TI provisions are implemented differently in each Member State. Some competent authorities approve the DG training programme, others do not, and some competent authorities issue an approval only on request of GH organisations.

The ICAO Technical Instructions state the following:

'4.5 Approval of training programmes

*4.5.1 Dangerous goods training programmes for operators **must be approved** by the appropriate authority of the State of the Operator in accordance with the provisions of Annex 6 – Operation of Aircraft.*

*4.5.2 Dangerous goods training programmes required for entities other than operators and designated postal operators **should be approved** as determined by the appropriate national authority.'*

Keeping in mind that the EU GH Regulation will be based on a declaration regime (i.e. there is no certification as in the case of aircraft commercial operators (AOC holders)), this means that there is in general no prior approval by the competent authority of anything related to the GH organisation's activities or management system. An approval of the DG training programme would be the only exception from this principle.

EASA carefully assessed whether the regulatory material should propose a rule to require that the DG training programme of GH organisations is approved by the competent authority or if the verification of the DG training programme during oversight audits is considered sufficient to ensure safe handling of dangerous goods. In order to take an informed decision, EASA asked Member States to provide information about how the ICAO TI are applied today in the national legislations of the Member States. EASA also consulted with the Advisory Body of Air OPS TEB to further understand the position of the Member States on this topic.

Member States were asked to provide an answer to the following questions:

1. Is the training programme of GH organisations subject to approval by the competent authority in your State? YES/NO

2. Is this approval mandatory as included in your national legislation on DG? YES/NO
3. If you answered 'NO' to Q2, do you issue approvals of the GH organisations' DG training programme upon request from GH organisations? YES/NO

These were the answers provided:

Member State	Q1	Q2	Q3
Austria	Y	Y	n/a
Belgium	Y	Y	n/a
Bulgaria	N	N	N
Croatia	Y	Y	n/a
Cyprus	Y	Y	n/a
Czechia			
Denmark	N	N	N
Estonia	N	N	Y
Germany	N	N	N
Greece			
Finland	Y	N	Y
France	N	N	N
Hungary			
Iceland	N	N	N
Ireland	Y	N	Y
Italy	N	N	N
Luxembourg	Y	Y	n/a
Latvia	N	N	N
Lithuania	N	N	N
Malta	N	N	N
Netherlands	Y	N	N
Norway	N	N	N
Poland	Y	Y	n/a
Portugal	N	N	N
Romania	Y	Y	n/a
Slovakia	N	N	N
Slovenia			
Spain	Y	N	Y
Sweden	N	n/a	n/a
Switzerland	N	N	N

On the question whether Member States would find useful for safety that the GH Regulation should include the approval of the GH organisations’ training programme for DG, most Member States, with a few exceptions, expressed their preference towards maintaining the status quo.

EASA does not have sufficient evidence showing that the number of dangerous goods incidents is higher for organisations whose DG training programme is not approved and lower for those organisations that hold an approval. Such details are not included in reports. Besides, most reports are submitted by aircraft operators, whose DG training programme must be approved as this is a current requirement in the Regulation (EU) No 965/2012.

The arguments brought in favour of an approval of the DG training programme and those in favour of no approval of the DG training programme could be summarised as follows:

In favour of approval of the DG training programme of GH organisations by the competent authority	In favour of no approval of the DG training programme of GH organisations by the competent authority
<ul style="list-style-type: none"> ➤ Prior approval is a proactive approach to safety, rather than a reactive approach. ➤ GHSPs subject to approval are more aware of the safety of their operations and DG handling. ➤ One approval by the competent authority means less audits from aircraft operators. ➤ The necessary expertise for approval is already in house for competent authorities, as they already approve the DG training programme of aircraft operators. There should be negligible impact. ➤ Not all training programmes would have to be approved; only those of GH organisation that handle DG (awareness training is not proposed to be approved). Grandfathering provisions would be included to ensure recognition of the existing approval and reissue of the approval with no further verification of the training programmes already approved. ➤ One approval issued by one competent authority involved in cooperative oversight would be recognised by all the other competent authorities concerned. No need of duplication. ➤ The duration of an audit takes less if the competent authority already approves the training programme beforehand. This saves resources during an audit (less time, less money for an audit, on both sides). Verification of this training programme would extend the duration of an audit by a few more days, which would 	<ul style="list-style-type: none"> ➤ There would be no consistency towards the other training programmes of a GH organisation, and DG is not the only area that is safety-critical in GH. De-icing, refuelling, aircraft loading/unloading are also safety-critical activities, and the Opinion does not propose an approval of those training programmes. ➤ Transport of dangerous goods is a highly regulated domain anyway. ➤ Sometimes, an approval may shift the focus from the quality and quantity of the training programme towards the actual status of ‘holding an approval’. The focus would fall on the act of approval rather than on regular and thorough verification of the quality and effective implementation of the training. ➤ The training programme will still be subject to oversight, so it will be verified anyway. ➤ An approval does not guarantee a higher level of safety in operation. There is no clear safety data to prove that organisations with an approved DG training programme perform more safely and have fewer occurrences than those without an approved DG training programme. ➤ The DG training programme of the GH organisation is verified by the aircraft operators under the contractual obligations in accordance with Regulation (EU) No 965/2012, point ORO.GEN.205 (as today).



<p>increase the audit costs both for the competent authority and for the GH organisation.</p> <p>➤ If the future GH Regulation does not require an approval, in those Member States where an approval is required today, this would be perceived as lowering the safety standards.</p>	<p>➤ Additional work for the competent authority resulting in additional costs for authorities and sometimes for GH organisations. More in line with the declaration system of the GH organisations, where no approval is required.</p> <p>➤ An approval would trigger a delay in starting the provision of services, as the GH organisation would have to wait until the approval would be issued.</p>
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In view of the arguments listed above in favour and against an approval, this Opinion does not propose any requirements for an approval of the DG training programme of GH organisations. Having different approval regimes in each Member State should be avoided once the GH Regulation becomes applicable. The approach on the approval (whether yes or no) must be the same in all Member States and should be established through the GH Regulation.

17. Common language

A requirement is proposed on the use of a common **language**. The proposed rule has a performance-based approach: it states that the organisation has to ensure effective communication of the GH personnel with other members of that organisation, or the aerodrome personnel, or the aircrew, regardless of the language they use. There is not one mandatory language. This remains to be decided by the GH organisation, the aerodrome operator and the aircraft operator to which the services are being provided.

18. Ground support equipment (GSE)

The proposed requirements on the **GSE** aim at establishing minimum safety rules regarding the operation and maintenance of GSE. The proposed implementing rules cover the development and implementation of a maintenance programme for the GSE (Subpart ORGH.GSE in Part-ORGH) and of procedures for their safe operation (GH.OPS.305). A regulatory framework is created also to enable the possibility for several GH organisations to ‘pool’ the GSE at an aerodrome (ORGH.GSE.110). It also gives the GH organisation the right to question the safety elements of the equipment included in the pooling agreement if it considers that the level of safety is below its standards. This is a privilege and also an obligation of the GH organisation established through the SMS requirements, as it will be responsible for the safety of its own operation. The proposed rules are technology-agnostic, meaning that they allow innovations and a smooth adoption of new technologies, while they also promote an environmentally friendly approach towards the choice of GSE.

19. Operational requirements

- (a) The proposed **operational requirements** in Annex III (Part GH.OPS) are kept at a general level. This is intentional, so that GH organisations and aircraft operators can develop and implement their own operational procedures to cover the safety risks, capacity, services, fleet, variations, and operational context appropriately and efficiently. EASA does not intend to create a parallel set of operational procedures to the existing industry standards, good practices, or individual procedures developed and applied by various air operators or GH organisations, as these are developed and updated yearly, with the involvement of hundreds of worldwide experts.

- (b) The proposed rules in Part-GH.OPS related to the operational requirements clarify the responsibilities of the GH organisation for all the GH activities, to support a better development of interfaces for the operations where other stakeholders (aircraft operators and/or aerodrome operators) are involved. However, it should be clarified that not all situations can be covered by the regulation. It is the responsibility of the stakeholders involved to identify those interfaces and sometimes even decide who is responsible for what, taking into account the applicable requirements and the operation under analysis. For example, as a general rule, the draft regulation states that the GH organisation is responsible for the maintenance of the GSE it uses. However, if the aerodrome operator applies a ‘pooled equipment’ system, then the responsibility for the maintenance can be with another organisation. The proposed rule is sufficiently flexible to allow this, but in such a case, the organisations involved in the pooling need to establish which one of them is responsible for the equipment maintenance.
- (c) The requirement also aims to enable harmonisation of various operational procedures that a GH organisation must observe to provide services to multiple aircraft operators. Harmonisation of operational procedures was identified as one of the most difficult tasks to achieve through the GH Regulation because every aircraft operator must have GH procedures for its aircraft and passengers, which the GH organisation must follow, and this is an essential requirement of the Basic Regulation. Although most aircraft operators and GH organisations apply industry standards and good practices including standard operational procedures (SOPs), many individual aircraft operators use them as a basis for a safe operation and add more to those SOPs (often addressing the same aircraft type), creating thus many deviations from those standards. To note that those industry standards and good practices are developed based on industry input, by many experts who represent all affected stakeholders, so implicitly aircraft operators and GH organisations.
- (d) This means, for example, that a GH organisation (which follows the SOPs developed as industry good practice) must apply (correctly!) 20 different procedures for placing chocks and cones to an Airbus 320, provided by 20 different clients (aircraft operators), all based on the same industry SOPs. This is a potential safety hazard¹⁸. The probability of a human error in applying the right SOP to the right aircraft operator is high. However, the necessary level of safety should be achieved by simply applying the industry standards, and the need to deviate from those SOPs is not always justified by an additional safety risk assessment by the aircraft operator.
- (e) To solve this conundrum, EASA proposes rules in the GH Regulation and Air OPS Regulation to allow for a GH organisation to apply its own SOPs if this is agreed by the aircraft operator. Secondly, the GH Regulation provides a legal tool for GH organisations to develop their own SMS, making them formally responsible and accountable for the safe provision of services. Moreover, the GH Regulation confers a new status on GH organisations as a safety-critical aviation stakeholder, not ‘just’ a service provider. This different status, backed by the obligation to prove that they apply an effective SMS and comply with the GH Regulation (also proven and confirmed through the oversight of a competent authority), should also help GH organisations in developing, assessing, discussing and agreeing on common SOPs with the aircraft operators. All these elements, placed in several implementing rules, are expected to improve the existing

¹⁸ A safety hazard exists also in the case when a GH organisation uses 5, 6 or more IT programmes for the departure control system (as per the software required by the client aircraft operator), each of which with its own training, procedures, rules and limitations. However, this is not an SOP as it refers to the IT tool.

level of trust between the aircraft operator and its GHSP, and lead towards a harmonisation of operational procedures in the future.

- (f) The approach taken with the development of Part-GH.OPS is fully performance-based and relies on the voluntary application of industry standards and good practices, as well as operational procedures well established by aircraft operators and GH organisations and continually improved through years of practice and safety lessons learned from daily operations.

20. Cargo operations and GH activities performed in cargo warehouses

The issue of whether to extend the application of the GH Regulation to cargo warehouse activities has been thoroughly discussed by EASA with the GH expert group. The main aspects of this debate are highlighted below.

- (a) Cargo activities occur indoors, usually in a warehouse. However, not all activities occurring in a warehouse are related to flight safety. Many of them are covered by other requirements, such as security aspects, or health and safety of personnel, the latter being covered by the Member States at national level.
- (b) The cargo-related activities with relevance to flight safety are load control, ground transportation, build-up of ULDs, DG in cargo, and aircraft loading/unloading. The load control activities are under the responsibility of the aircraft operator, included in the Air OPS Regulation. Aircraft loading/unloading and the operation of GSE for cargo purposes are covered by the GH Regulation in the relevant sections related to these activities.
- (c) What remains to be covered by the cargo requirement (GH.OPS.500) are the activities related to the preparation of cargo for the flight: verification of conformity between the accepted cargo and the related documentation, verification of the cargo integrity, cargo build-up, ground transportation between the cargo terminal and the aircraft. DG requirements will apply at all times.
- (d) So, when these cargo activities (which are relevant for flight safety) are performed at a warehouse, they are proposed to be kept in the scope of the GH Regulation.
- (e) The second problem to be solved is linked to the equal treatment of these activities kept in the scope of the GH Regulation when performed in a warehouse at the aerodrome premises and when performed outside the aerodrome premises. The Basic Regulation sets the boundaries of application of the GH Regulation to the aerodrome premises. Thus, warehouses located inside the perimeter of an aerodrome would be in the scope of the GH Regulation, whereas warehouses located outside an aerodrome, e.g. across the street from an aerodrome, would be outside the scope. There is no safety discriminant between the two. To solve this problem, it is proposed that the safety-related cargo activities occurring at cargo warehouses located in the vicinity of the aerodrome are kept in the scope of this Regulation.
- (f) To keep the same focus only on activities related to the safety of the flight, the draft regulatory material does not extend to activities occurring after the cargo is unloaded from the aircraft and transported to the cargo warehouse.

21. Oversight programme

The **oversight programme** is detailed in ARGH.OVS.305 in the draft Commission Implementing Regulation.

- (a) The **oversight programme** is proposed to ensure collection of safety data from GH organisations, to enable competent authorities to know the organisations subject to their oversight, so that a risk-based oversight can be applied. Not all the Member States will be able to apply a risk-based oversight in the first years of implementation, as not all of them have received or are receiving sufficient safety data from organisations providing GH services in their States, which is necessary for the risk-based oversight to work effectively. This was confirmed by EASA's analysis of the safety data collected through the ECR established in accordance with Regulation (EU) No 376/2014. Furthermore, the quality of the reports submitted is rather poor. The current safety reporting practices show an uneven level of safety culture and safety reporting. SMS is applied on a voluntary basis today by GH organisations, and building a safety culture and a reliable safety database takes time. However, for a few Member States that have been active in collecting safety data in the past years, since Regulation (EU) No 376/2014 has been applicable, and have encouraged organisations in their States to develop a safety culture and a reporting culture, implementing a risk-based oversight from the beginning will be possible. The regulation needs to enable all Member States to collect sufficient safety data as a solid ground for a risk-based oversight, and also to allow those Member States that have this capacity already to be able to implement it as soon as the GH Regulation becomes applicable.
- (b) The proposed requirement establishes an oversight cycle of 48 months, with the possibility to extend it to maximum 72 months or reduce it below 48 months depending on the GH organisation's safety performance. However, considering the intention to build a future risk-based oversight, it has been considered that visiting an organisation only once in 72 months might be insufficient to build a reliable safety profile of that organisation to apply a risk-based oversight. Sufficient safety information would accumulate too slowly for this purpose. The competent authority should receive information about an organisation's safety performance more frequently in the absence of inspections, and this is not covering just the occurrence reporting. Therefore, EASA proposes a requirement similar to the one applicable to declared training organisations under Regulation (EU) No 1178/2011, namely that **GH organisations submit a yearly report to their competent authority**, containing safety and compliance information relevant to a risk-based oversight, even in the absence of inspections if the oversight cycle has been extended to 72 months by the competent authority.
- (c) It has been considered that it would be too onerous to require that all stations of a GH organisation must be covered in a full-scope oversight programme within a cycle. The number of stations to be overseen within a cycle should be relevant to complete the oversight scope, and this number should be decided by each competent authority. In the case of cooperative oversight of an organisation with a pan-European coverage, the number of stations to be overseen should be agreed among all the competent authorities involved.
- (d) A new implementing rule is proposed, ARGH.OVS.315 'Oversight tasks' to ensure clarity of responsibilities of each competent authority when conducting oversight without a cooperative oversight dimension. The more complex configuration involved in cooperative oversight, to

keep the level of responsibility unaffected but also avoid duplications of the same work, is described in ARGH.OVS.330.

22. Cooperative oversight

Creating a good framework for cooperative oversight has been another of the most challenging tasks of RMT.0728, due to the typical business model applied in the ground handling industry. A few background explanations are necessary to ease the understanding of this statement:

- (a) An organisation providing GH services at aerodromes in more than one Member State usually has fully equipped stations at those aerodromes. They have personnel, documentation, offices, warehouses, GSE, pretty much like any other station of any GHSP. This is the case of a pan-European GH organisation such as Swissport, Menzies Aviation, Worldwide Flight Services (WFS), Aviapartner, dnata, Goldair, Acciona, Celebi, SAS Ground Handling, Aviator, Groundforce, BGS (just a few examples, but the list may continue). Each of the aerodrome stations where such a GH organisation provides services is subject to competent authority oversight.
- (b) To comply with the provisions of the Basic Regulation, organisations providing GH services in more than one Member State or under the oversight responsibility of more than one competent authority will be subject to oversight by as many competent authorities (or even more) as the number of EASA States in which they operate. Each competent authority would have to verify more or less the same thing at all those stations: the written documents where the organisation describes its management system and how it implements it at all stations where it operates. When the GH organisation has a single management system that applies at all stations where it operates, this means a multiple verification of the same thing, possibly with different outcomes. The number of audits would soar to an impossible number and it would become an inefficient and burdensome oversight process, both for GH organisations and competent authorities.

To simplify the oversight and make it more efficient, EASA proposes a **cooperative oversight** process based on the **hub-and-spoke concept**, which is reflected in the requirements in a way that the oversight and enforcement responsibilities of each individual Member States are not hindered. The proposed approach on cooperative oversight uses several concepts that are introduced in the GH Regulation:

- (c) Firstly, the concept of **PPoB** is introduced in the draft regulatory material. This makes it easier for pan-European GH organisations to identify to which competent authority they must declare their activity. A declaration submitted one time to only one competent authority will be valid and recognised by all the other competent authorities without further requirements or evaluation, as per Article 67(1) of the Basic Regulation. The format of the declaration proposed in the GH Regulation includes information about all the aerodromes where a GH organisation provides services, so that all competent authorities responsible for the oversight of that pan-European GH organisation will receive the necessary information in the same document (see Appendix 1 to Subpart ORGH.DEC in Annex II).
- (d) Secondly, the concept of the PPoB will be used to ensure the **minimum resource** and **maximum efficiency of cooperative oversight** in the proposed **hub-and-spoke model of oversight**. This is similar to the SAFA/SACA ramp inspection programme: as aircraft operators, a pan-European GH organisation has a PPoB (a 'hub') and a competent authority responsible for the oversight

of that organisation at its PPOB (for easier identification here, it will be called the ‘hub competent authority’). Also, as aircraft operators operating at many aerodromes, a pan-European GH organisation provides services at multiple stations (its ‘spokes’) in many Member States. Like in the SAFA/SACA ramp inspections, each competent authority is responsible for the oversight and enforcement of the GH Regulation at the aerodromes in their State. They will oversee the safe provision of GH services of that pan-European GH organisation at the aerodromes in their State (the ‘spoke competent authorities’).

- (e) By identifying an organisation’s PPOB **and the ‘hub competent authority’**, it is easier to determine which is the competent authority responsible for the oversight of an organisation’s management system. Given that pan-European GH organisations apply the same management system to all their stations, for an efficient oversight, the management system of such an organisation will be overseen only once instead of many times. This will be done by the competent authority of the State where the GH organisation has its PPOB – the ‘hub competent authority’. Hub is where the majority of an organisation’s functions take place, where the decision-making about the entire business is done. The management system documentation, policies and programmes – all the written processes applied to its SMS, training programme, GSE maintenance, compliance checks, organisational structures, management of changes, everything that keeps that organisation together as one business – can be verified only once, at its headquarters, by the ‘hub competent authority’. The result of the audit is then shared with the other competent authorities of the Member States where that organisation has stations (the ‘spoke’ competent authorities), so that they do not have to verify the same thing again, at the individual aerodromes in their State.
- (f) The **‘spoke competent authorities’** will verify *how* the organisation’s management system is implemented at the station in the provision of services, in the training of personnel, in the maintenance of the GSE at the aerodromes in their State. They will focus less on verifying the organisation’s management system documentation (which has already been verified by the ‘hub competent authority’) and more on the actual implementation of the management system at the station under oversight. The ‘spoke competent authority’ will thus be able to confirm whether the ‘output’ of the organisation’s management system, which is the actual provision of services, is concordant with the ‘input’, which is the documented management system. The ‘spoke competent authority’ will verify, for example, how the organisation performs the aircraft turnaround activities; how passenger boarding and disembarkation take place; how the aircraft is being unloaded and then loaded; whether the loading instructions/report procedure is performed as written; how refuelling or de-icing is being done; it will verify, for example, how the training programme is applied at that particular station, whether the personnel training records correspond to the situation in the field (sample checking of individual training records rather than the whole training programme), whether the SMS is customised to reflect the operational context of that particular aerodrome (for example, if the airport is in a region subject to regular strong winds, there should be additional procedures to mitigate the risk of aircraft being moved on the ground during strong winds, or the risk of foreign object debris, or GSE movement around the aircraft, etc.) and properly documented at that station. They will verify whether the operational procedures are applied during aircraft turnaround as indicated in the ground operations manual, or whether the maintenance programme for the GSE is implemented as written in the documentation, the out-of-order GSE is properly marked, etc.



- (g) The ‘spoke competent authority’ will enforce the application of the GH Regulation at that aerodrome and oversee the provision of GH services at the aerodrome just like they would perform any usual oversight activity. No need to verify again what the ‘hub competent authority’ already covered during the oversight at the organisation’s PPOB, because that would duplicate a task already completed, the results of which are already available to all the ‘spoke competent authorities’ concerned. The responsibility is fully with the ‘spoke competent authority’ to raise findings, agreeing on the corrective action plans, monitoring the application of corrective actions, closing the finding or requesting further action at that station.
- (h) The additional tasks coming with the cooperative oversight system are the following:
- (1) Inform the other competent authorities concerned about the finding (and the associated corrective action) raised at the station or at the headquarters on the organisation’s management system;
 - (2) Assess whether the finding raised at one station is specific to the operational context of that particular station or if it could be linked to the organisation’s management system and therefore has been/could have been identified also at other stations, in other Member States. The ‘spoke competent authority’ would then have to consult with colleagues from other ‘spoke competent authorities’ and ask them whether they have raised the same finding at the station in their country. They can also use the information from the audit report of the ‘hub competent authority’ to see whether that finding was already raised on the management system. If other ‘spoke competent authorities’ confirm that the same issue is occurring at the stations in their Member State too, this should trigger an action by the ‘hub competent authority’ to raise the finding on the organisation’s management system directly at its headquarters only once instead of many different times by each individual ‘spoke competent authority’. The ‘spoke competent authorities’ will nevertheless verify that the corrective action is applied at the station where the initial finding was raised, in order to close it.
 - (3) If – the other way around – the ‘hub competent authority’ raises a finding on the GH organisation’s management system that consequently affects all the stations where the GH organisation operates, this should trigger an action of all individual ‘spoke competent authorities’, which will have to take a local decision on how to address the finding at the station under their oversight responsibility.
- (i) Thirdly, the concept of ‘**single GH organisation business grouping**’ has also been introduced for the purpose of making the oversight of such organisations more efficient.

The concept is similar to the one from Part-CAMO (single air carrier business grouping). This concept is useful for cooperative oversight purposes and applies to two or more (GH) organisations that are part of the same parent-company but may each be registered in a different Member State. For example, if Swissport has registered companies in more EASA Member States besides its headquarters which is registered in Switzerland (e.g. Swissport Belgium, Swissport Netherlands, Swissport Italy, Swissport Germany), those sister-companies are still part of the large Swissport parent-company. They all apply the same management system, training programme, SMS, etc. So, it makes no sense to perform 20 individual audits to the same management system, verified in each Member State.

- (j) Fourthly, the rule on cooperative oversight will also enable the possibility for any of the ‘spoke competent authorities’ to provide support to the ‘hub competent authority’ and participate in the oversight of a pan-European GH organisation’s management system at its PPOB.
- (k) Fifthly, cooperative oversight, in order to be effective, cannot be confined to the written text of a regulation, but must also grow based on **mutual trust and continuous communication** which occurs outside the law book. To that end, EASA and the competent authorities have already set up a Network of Inspectors, a group in which Member States’ appointed GH inspectors or focal points meet and discuss. The **GH Network of Competent Authority Inspectors** has a multiple purpose, eventually leading to an efficient cooperative oversight process in the future: to create an atmosphere of trust, of common goal, to work together on attaining the same level of knowledge and the same understanding of the GH Regulation, to work together on a common toolbox to be used for oversight, and reach consensus over different opinions concerning the oversight activities and their results.

The GH Network of Competent Authority Inspectors also aims at helping one another with the training of inspectors, exchanging experience between different practices used in different countries, thus achieving part of the recurrent training.

- (l) Last but not least, the EASA **repository of declarations** should be an **IT tool** where the declarations and the reports of oversight can be accessed by all competent authorities concerned.

23. Cooperative oversight for pan-European GH organisations whose PPOB is located outside the EASA Member States

With all these proposed solutions for an efficient cooperative oversight, one important aspect must be clarified already at this stage:

Pan-European GH organisations whose PPOB is located outside the EASA Member States cannot benefit from the ‘hub-and-spoke’ cooperative oversight model because their PPOB is not in an EASA Member State. This is because the hub-and-spoke concept of cooperative oversight is based on the concept of PPOB. The PPOB of an organisation must be in an EASA Member State for this to work.

It is also not possible for EASA to take over the oversight and enforcement responsibilities under Article 65 of the Basic Regulation for the non-EASA GH organisations, as this is not foreseen in the Basic Regulation for declared organisations.

GH organisations whose PPOB is located outside the Territories of the Treaties will be treated as any national GH organisation in each Member State and will have to submit a declaration to each competent authority in the Member States where they provide services. They will also be subject to as many oversights as there are competent authorities to which they submit a declaration. This is indeed recognised as an unnecessary administrative burden, however with the current provisions in the Basic Regulation (that regulate the competent authority and link it to the aerodrome where the GH organisation provides its services, the concept of PPOB cannot be applied if the PPOB of the GH organisation is outside the EASA Member States.

Nevertheless, competent authorities will apply the cooperative oversight rule also on these organisations to avoid duplications and redundancies. They will be able to share audit reports, corrective actions for all the ‘branch’ organisations registered in each Member State, consult or offer

support to one another. However, the ‘hub-and-spoke’ model cannot be applied to the full extent as the scope of oversight cannot be reduced only to the verification of how operations are performed at an individual station; they will have to also verify the management system in each country.

Two possible future solutions have been identified, each with a question mark and only possible in the future:

1. The GH organisations with a PPOB outside the EU could decide to move their PPOB in a Member State where the Basic Regulation applies; or
2. Member States propose to amend the Basic Regulation to allow for EASA to become the competent authority of GH organisations whose PPOB is outside the EU.

24. Proposed amendments to Regulation (EU) No 965/2012 on air operations

The definition of ground supervision covers a specific ground handling function that is introduced with the GH Regulation. When this function is performed as a self-handling service, by the operator’s own personnel, the operator only needs to comply with the requirements on ground supervision included in this regulation and can thus be exempted from compliance with the whole GH Regulation.

A new definition is proposed for the load control process of an air operator, linked to new text added to Part-CAT on mass and balance documentation and load planning. The load control process is one of the most important ground handling processes, and it is closely linked to the operator’s operational control functions.

A new point is proposed in ORO.GEN.150 ‘Findings and corrective actions’ to align this Regulation with the GH Regulation and the Aerodrome Regulation with regard to the sharing of safety-relevant information among the three stakeholders that have most of the safety interfaces in ground handling services. The GH expert group supporting EASA in the development of the draft rules on ground handling has often highlighted that communication of safety-relevant information was rather unidirectional from the GH organisation to the air operator, but not the other way around. To improve the safety of ground operations, GH organisations need to receive safety-relevant information that directly affects their responsibility for the safe provision of services.

A similar amendment is proposed also in the Aerodrome Regulation.

A new implementing rule ORO.GEN.315 is proposed to clarify the conditions in which GH services are provided – when self-handling or when contracted to a third-party GH organisation. Secondly, the new proposed rule establishes the applicable requirements for self-handling operations.

Point (c) allows for the operator to use the operational procedures of the GH organisation instead of its own procedures. This proposed rule aims at harmonising the operational procedures for GH services.

A new implementing rule CAT.GEN.MPA.220 is proposed to clarify the applicable requirements to a CAT operator when it performs self-handling. They will have to comply with the GH Regulation with certain exceptions (ground supervision, which shall remain covered by the Air OPS Regulation). This rule covers self-handling also when the operator provides GH services to other aircraft operators that are part of the same business grouping.

Point (b) ensures the application of the same treatment of the training programme for GH personnel – which does not require any approval by the competent authority, as the GH organisations operate

under a declaration regime, while for aircraft operators some elements of their management system are subject to approval. New GM is also proposed to clarify this aspect.

A new implementing rule CAT.POL.MAB.110 is proposed to cover the load control process. This process contains many safety-critical functions as it plans the aircraft load so that it respects the mass and balance calculations. The different steps of the load control process are now better identified, as the operator will need to establish tasks and objectives, as well as to ensure that the personnel performing those tasks are properly trained.

Whether these tasks are performed by the operator's own personnel or are outsourced to a third-party GH organisation, the requirements need to be observed in all cases. The details are included at AMC and GM level.

25. Proposed amendments to Regulation (EU) No 139/2014 on aerodromes

As in the case of the proposed amendment to Regulation (EU) No 965/2012 on air operations, also the Aerodrome Regulation is proposed to be amended to allow for proper sharing of safety-relevant information resulting from findings and corrective actions. A new point (d) is proposed to ADR.OR.C.020 related to sharing of safety-relevant information to ground handling organisations when this is beneficial to the improvement of the safety of their own services.

The management system requirements for aerodrome operators in ADR.OR.D.005 and for apron management service (AMS) providers in ADR.OR.F.045 need to be updated to allow for the implementation of an integrated management system for cases when the organisation holds more than one certificate or declaration, aiming at the case when the aerodrome operator or the AMS provider also provides GH services and has to declare this activity. Therefore, a new text point is proposed to be added in ADR.OR.D.005(f) and respectively ADR.OR.F.045(d).

The facilities provided by the aerodrome operator for the storage of DG and of the ULDs need to meet certain conditions for safety. This addresses former RMT.0705 ([EPAS 2023-2025](#)) which was cancelled. The same issue has also been highlighted during the consultation of the draft regulatory material, therefore a new point to cover this aspect has been added to ADR.OR.D.020 'Facilities requirements'. The text is aligned with the relevant requirement on facilities proposed in the GH Regulation.

The requirement on the aerodrome manual (ADR.OR.E.005) is proposed to be amended so that the aerodrome operator may include in the aerodrome manual also procedures related to GH activities, clarifying though that those procedures should not be subject to approval by the competent authority, in order to ensure the same treatment to the GH manual for all organisations providing GH services. A new text point (f) has been added.

The requirement on the control of pedestrians in ADR.OPS.B.033 is proposed to be amended to better clarify the responsibilities of the aerodrome operator and those of other organisations involved in passenger handling, which are usually GH organisations: the aerodrome operator is responsible for establish procedures for control of passengers, but not to implement such procedures. The GH organisation providing passenger handling services is responsible to implement those procedures. Point (b) is proposed to be amended in that regard.

In ADR.OPS.D.001 'Apron management safety', it is proposed to remove aircraft refuelling from the list of activities for which the aerodrome operator has to ensure that means and procedures are established and implemented to ensure apron safety. The reason is that apron safety during refuelling

is already covered by another requirement (ADR.OPS.D.060) and a duplication of this in several places creates confusion as to who is responsible for what or whether the same requirement is repeated in several rules. This repetition could become even more confusing with the implementation of the GH Regulation, which also includes requirements related to aircraft refuelling and adds another stakeholder that has its own responsibilities in this regard.

In ADR.OPS.D.060 'Aircraft refuelling', the title is proposed to be changed to better reflect the intent of this rule; the aerodrome operator is actually not involved in the refuelling operation; its responsibilities lie in ensuring that safety of apron operations during aircraft refuelling is maintained. The new rules on aircraft refuelling in the GH Regulation will establish responsibilities of the organisation that provides this service, and the current title in the Aerodrome Regulation might create confusion and might be seen as a potential duplication of responsibilities of two different entities.

Several minor changes are proposed as feedback from a refuelling company, to distinguish actions in case of emergency evacuation and unobstructed paths when refuelling is done with a fuel truck (as opposed to a hydrant).

26. Information security requirements

Finally, implementing rules have been added for compliance with the information security management requirements for both competent authorities and GH organisations. The proposal is reflected in Article 4(8), ARGH.GEN.125(c), ARGH.GEN.136, ARGH.MGM.200(c), ARGH.MGM.205(e), ARGH.MGM.211, ARGH.OVS.300(f) for authority requirements and in ORGH.MGM.201 for organisation requirements.

27. What does not change

- (a) The current requirements on de-icing/anti-icing remain applicable as in Regulation (EU) No 965/2012. There are only minimum requirements proposed in the GH Regulation on this topic and they are strictly related to the responsibilities of the organisation providing de-icing/anti-icing services. EASA needs to perform a deeper analysis of the safety issues and concerns in this domain, consult with the industry and competent authority experts to determine whether the direction in which the EU GH rules and the air operations rules should be further developed or amended.
- (b) The responsibility for the load control phase of mass and balance calculations, load planning, issuance of load control related documents such as the loadsheet, the notification to captain and the loading instructions remain under the full responsibility of the aircraft operator, regardless of whether these services are provided in-house or outsourced. The requirements of Regulation (EU) No 965/2012 apply.
- (c) The requirements of Regulation (EU) No 965/2012 regarding the approval of the DG training programme of an aircraft operator and any further specific approval needed by an aircraft operator under Annex V (Subpart SPA.DG) continue to apply. This will have no additional impact on the GH organisations performing DG handling on behalf of an aircraft operator. The approval of the DG training programme and operational procedures is granted by the competent authority of the aircraft operator to the aircraft operator, not to the GH organisation contracted by the aircraft operator.
- (d) The responsibility for aircraft safety and flight safety remains with the aircraft operator.

- (e) The responsibility for safety of operations at an aerodrome and on the apron remains with the aerodrome operator.

2.6.1 Targeted applicability date

The targeted applicability date of the regulatory material (GH Regulation and the amendments to Regulations (EU) No 965/2012 and No 139/2014) is proposed to be 3 years after the date of entry into force. This means a transition period of 3 years, to provide the affected stakeholders with sufficient time to prepare for the implementation of the new GH Regulation.

For the cybersecurity requirements, a 6-year transition period is proposed, to enable affected organisations to first prepare for the specific ground handling requirements and also to benefit from the lessons learned in the other aviation domains that should implement the new requirements at an earlier date (2026 for Regulation (EU) 2022/1645 and 2027 for Regulation (EU) 2023/203). At the same time, EASA proposes a longer *initial* oversight period (of 5 years, i.e. 60 months) – applicable only for the first oversight, not repetitive – with the purpose of enabling competent authorities to oversee all declared GH organisations in their Member State at least once. This exceptional, initial longer period for the oversight has been discussed with the competent authorities and was considered a feasible solution to accommodate a comprehensive oversight cycle for competent authorities having to oversee an estimated large number of GH organisations, and thus establish a basis for a future risk-based oversight by collecting information on the safety risk and safety performance of each GH organisation in their State. It is, however, not expected that all aerodromes where a GH organisation provides services are overseen in this initial 5-year nor within one oversight cycle.

A smooth transition is proposed for organisations already providing GH services at the time when the GH Regulation becomes applicable: they would have to agree with their competent authority on a period in which they may submit their declaration after the Regulation enters into force; however, this should not be longer than 12 months counting from the date of application of the GH Regulation. This interval would enable competent authorities to plan the oversight programme more easily. Authorities should also take into account, for oversight planning, the experience and performance of the GH organisations that have already been providing services prior to the date of application of the new GH Regulation.

2.6.2 Legal bases for the proposed regulatory material

Article 39(1) points (d) and (e) of the Basic Regulation empower the Commission to adopt delegated acts, in accordance with Article 128 of that Regulation, laying down detailed rules for the **provision of ground handling services and the organisations providing them**.

Article 62(14)(d) of the Basic Regulation establishes that the Commission shall adopt **implementing acts** laying down provisions concerning **rules and procedures for the allocation of responsibilities between the national competent authorities**, with a view to ensuring the effective performance of the tasks related to oversight and enforcement.

Article 62(15)(a);(b);(c) of the Basic Regulation establishes that the Commission shall adopt **implementing acts** containing provisions on rules and procedures for (a) gathering, exchange and dissemination of relevant information between the Commission, the Agency and the national **competent authorities for the effective performance of their tasks related to oversight and enforcement**, including information on possible or identified infringements; (b) the qualifications of the national competent authorities staff involved in oversight and enforcement tasks and of the

organisations involved in their training; and (c) the administration and management systems of the national competent authorities relating to the exercise of the oversight and enforcement tasks.

Article 31(1)(a) of the Basic Regulation empowers the Commission to adopt implementing acts laying down detailed provisions concerning the specific rules and procedures for the **operation of aircraft** in compliance with the essential requirements contained in Annex V.

Article 39(1)(a) of the Basic Regulation empowers the Commission to adopt delegated acts laying down detailed rules with regard to the specific conditions for the **operation of aerodromes** in compliance with the essential requirements contained in Annex VII.

2.7. Other relevant information

2.7.1 Elements not included in the first issue of the GH Regulation

The draft regulatory material does not include requirements for the GH of **rotorcraft operations**, as EASA and the GH Expert Group did not have the proper expertise at hand. Therefore, the term ‘aircraft’ used throughout the regulation should be understood to refer to aeroplanes only unless stated otherwise. A provision in that regard has been added in Article 2(4) of the draft Commission Delegated Regulation.

The draft regulation also does not include detailed requirements on **cargo handling**. Also, this domain requires a deeper analysis to identify what the new regulation can improve in the current cargo handling operations. The requirements concerning the handling of DG are applicable as per ICAO Annex 18 and the Technical Instructions.

New requirements will be added in the future to address the ground handling needs of **new aircraft types using other energy sources for propulsion than traditional fossil fuel**, as the infrastructure for aircraft based on electrical, hybrid, or hydrogen propulsion is not yet mature enough. The Aerodrome Regulation is also expected to be affected and consequently amended to fit the new needs of the industry.

2.7.2 Connections with other rulemaking tasks

[NPA 2022-11](#) ‘Regular update of the air operations Rules’ (RMT.0392) and [Opinion No 04/2023](#) ‘Regular update of the aerodrome rules’ (RMT.0591) contain a few proposed amendments that will further align the three regulations (OPS, ADR and GH) on the following aspects:

- (a) safety reporting — allowing for sharing of relevant safety information between GH organisations, aircraft operators and aerodrome operators (see proposed amendments to the aerodrome requirements in ADR.OR.D.025, ADR.OR.D.027, ADR.OR.D.030 in Opinion No 04/2023);
- (b) integrated management system — allowing for organisations holding multiple certifications, approvals, authorisations or declarations to have a single management system that integrates all common elements of the certificated, approved, authorised or declared organisations (see the proposed amendment to the air operations requirements in ORO.GEN.200 in NPA 2022-11).

3. Expected benefits and drawbacks of the proposed regulatory material

A detailed regulatory impact assessment (RIA) can be found in the Appendix to this Opinion.

Compared to the 'no change' policy (Option 0 of the impact assessment), it is expected that the EU GH Regulation will address several of the most critical missing elements in the current situation in the GH industry:

- (a) **Mandating an SMS** for GH organisations is expected to improve the safety level of those organisations that today do not apply any SMS. However, it is clear that such changes take time and results are not expected to happen already from day 1 of implementation. As clearly noticed by one of the commenting stakeholders, to effect such a transformation, the SMS must become an integral part of the organisation's operations over a sustained period. It should be both effective and tailored to the organisation's front-line activities. The reaping of benefits associated with this change is likely to produce its effects long after the regulation's entry into force, potentially spanning many years.

The level of safety culture and safety reporting culture is also expected to improve over the years. A regulatory framework for the implementation of a just culture will be provided. However, it is not expected that the existence of a regulation will automatically improve the safety culture of GH organisations, as this depends on many other factors independent from a Regulation. The regulation merely creates the legal basis for this to be implemented. Guidelines and examples are also provided of how this can be achieved in practice.

- (b) The **oversight requirements** for competent authorities across the EASA Member States are expected to improve the level playing field and help harmonising the provision of GH services at EU aerodromes. The proposed rules will also provide the background for regular and consistent safety data collection and analysis, to be used both for the foundation of a risk-based oversight and to effect further consequences in the GH industry: reduction of the number of occurrences, consistent training of personnel, safety baseline achieved across the EU, consequently reducing the damage to the aircraft and other vehicles, resulting in less financial costs for the aircraft operators and GH organisations.
- (c) **Reduction in the number of audits** to GH organisations in the EASA Member States by amending the Air OPS requirements to enable a risk-based verification by aircraft operators of their declared GHSPs. Already today the Air OPS Regulation distinguishes between service providers that are organisations certified under an EU aviation regulation, which apply an SMS and are overseen by a competent authority and service providers that are not regulated by any aviation safety regulation, apply an SMS only voluntarily, and are not (in most cases) overseen by a competent authority, as is currently the case for GH.
- (d) Creating a regulatory framework for the **training of GH personnel** is expected to improve the level of training by focusing on developing their competencies, the mobility of personnel across organisations and countries, as well as the safety culture within the organisations.
- (e) Proposing a new approach to the acceptance of industry standards for the GH activities by establishing criteria of a 'good' industry standard used by GH organisations to demonstrate compliance with the implementing rules. This will help **harmonising the operational procedures** of GH organisations and aircraft operators across the EASA Member States. It will

rely on industry developments and will keep the regulatory content for the operational procedures to a minimum.

- (f) Training of GH personnel, the effective implementation of the SMS and the requirements for GSE related to the use of a no-touch policy or equipage with proximity sensors are also expected to **reduce the number of aircraft damage** recorded today, and consequently reduce the costs generated by that damage.

The drawbacks will be felt mostly in the first years after the implementation of the GH Regulation, mainly as regards the following aspects:

- (a) Competent authorities will need additional resources to conduct oversight of GH organisations and they will have to train their inspectors.
- (b) Aircraft operators, GH organisations, and aerodrome operators will have to trust each other and share safety-relevant information among themselves. Trust is built over years; it is not gained automatically because a regulation says so.
- (c) It is also likely that the number of audits to GH organisations will not decrease in the first years after the date of application of the GH Regulation, even though Regulation (EU) No 965/2012 clearly states that the air operator should make a distinction between a certified/declared organisation and an organisation that is outside any declaration or certification system.
- (d) GH organisations that do not have an **SMS** yet will need additional resources to develop and implement an SMS; however, the costs are expected to be rather low, considering that guidance and tutoring on developing an SMS are widely available today and much guidance material developed by industry is free of charge. Additionally, EASA and the Member States will organise workshops and webinars and involve industry's most experienced organisations to support the implementation of the GH Regulation.

It is expected that the positive effects of the future EU GH Regulation will outweigh the anticipated drawbacks given the solutions explained in Section 2.6.

4. Proposed regulatory material

The annexes to the Opinion, containing the proposed regulatory material and the regulatory impact assessment, are published in separate documents.



5. Monitoring and evaluation

EASA will monitor the implementation of the GH Regulation to ensure the achievement of the objectives stated in Section 2.4 through the following actions and channels:

- (a) Monitoring of the costs of implementation for competent authorities, for small GH organisations and for large GH organisations;
- (b) Monitoring of the amount of aircraft damage reported;
- (c) Monitoring by competent authorities and GH organisations of the number of audits performed on GH organisations by industry;
- (d) Direct feedback from industry through workshops on specific topics;
- (e) Regular discussions with the network of GH inspectors of competent authorities on the main issues identified during the oversight activities;
- (f) Analysis of safety occurrence reports, regular discussions with the competent authorities through dedicated EASA Advisory Bodies and the CAG-GH, proposed measures to mitigate the identified safety issues and dissemination of the actions taken;
- (g) EASA regular standardisation activities.

Based on the results assessed at yearly intervals, EASA will consider the most appropriate measures to facilitate the implementation of the Regulation or improve its content (i.e. amendments to the GH Regulation, the related regulations, or their associated AMC and GM, or safety promotion activities).

In order to monitor and evaluate the impact of the proposed GH Regulation, it is recommended to collect data on the most important indicators:

- the number of declared GH organisations and the number of employees per organisation;
- personnel costs per GH employee;
- turnover rate per GH organisation;
- number of reported occurrences involving GH per aircraft departure;
- number of reported occurrences involving GH reported by GH organisation;
- number of incidents of aircraft damage per aircraft departure;
- Lost time injury frequency per GH organisation;
- number of NCA staff involved in the oversight of GH organisations per Member State;
- number of audits to a GH organisation per year by various entities.

A significant amount of the social and economic data necessary to quantify the above indicators is currently not available at EASA Member State level. The difficulty to obtain relevant social and economic data supports the need for a collaborative data collection process. The goal of the collaborative data collection process is to establish a process through which data can be collected with active participation of the social partners and other relevant stakeholders to ensure that the regulatory impact assessments are based on data of sufficient quality. It is essential that the social partners and other associations are actively involved in this collaborative data collection process. It is

recommended to establish such a collaborative data collection process and to ensure that the social partners and other associations fully support this process.

To create a correct overview of the state of affairs with respect to safety, the availability of complete and reliable safety occurrence data is vital. Even though there are limitations to the usability of occurrence data, notably due to underreporting and in many cases a lack of detail of the occurrence and its context, occurrence data analysis is essential for safety analysis. In the absence of accidents (which is what everybody wants to achieve), occurrence data is the only system-wide source of quantified data that is available to estimate the actual level of safety and to identify safety-relevant trends. For regulatory impact assessments such data is particularly useful, if not fundamental.



6. Proposed actions to support implementation

EASA intends to support the implementation of the new GH Regulation by organising, coordinating, or contributing to the organisation of the following actions:

- Continued support for implementation through the Network of Competent Authorities GH Focal points: this group has a multiple purpose:
 - prepare the basis for an effective cooperative oversight to reduce the number of audits to a GH organisation and thus reduce duplication of efforts;
 - ensure the same interpretation of the rules by all competent authorities;
 - develop a common toolbox for oversight;
 - ensure common training for all GH inspectors;
 - enable exchange of experience between inspectors; and
 - follow a common approach to non-compliances at individual airports in every Member State;
- Series of workshops and webinars in the EASA Member States, in cooperation with the competent authorities of the EASA Member States;
- Focused communication at Advisory Body meetings (Member States and industry);
- Focused events organised by neighbouring Member States where the same GHSP operates and therefore have a common ground for oversight (pan-European GH organisations and the competent authorities involved in their oversight);
- FAQ, guidelines/manuals for the implementation of certain elements of the GH Regulation for the main safety-relevant GH roles, scalable SMS) available on the EASA website.

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