



# EUROPEAN FREE TRADE ASSOCIATION

Ref. 1120187

19 April 2013

## DECISION OF THE COUNCIL NO 2 OF 2013

(Adopted at the 2<sup>nd</sup> meeting on 18 April 2013)

### AMENDMENT TO THE APPENDIX TO ANNEX Q TO THE CONVENTION

#### AIR TRANSPORT

THE COUNCIL,

Having regard to the Member States' endeavour to regularly update the Convention in order to take account of developments under the Agreement on the European Economic Area and the bilateral Agreements of 21 June 1999 between the Swiss Confederation on the one hand and the European Community and its Member States on the other,

Having regard to Article 53(3) of the Convention, empowering the Council to amend the Appendix to Annex Q to the Convention,

Having regard to the recommendation of the Committee on Air Transport in its report to the Council to amend the Appendix to Annex Q (Air transport) to the Convention,

#### DECIDES:

1. The Appendix to Annex Q to the Convention shall be amended as follows:
  - a) The title of point 1 (Third aviation package of liberalisation and other civil aviation rules) shall be replaced by "Liberalisation and other civil aviation rules".
  - b) The following shall be deleted in point 3 (Air Safety):

**'No 1592/2002**  
Regulation of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency.

(Articles 1-11, 57)

The provisions of the Regulation shall, for the purposes of this Convention, be read with the following adaptations:

- (a) In Articles 9(1) and 9(2)(a) the words “or an EFTA State” shall be inserted after the words “the Community”.
- (b) Articles 9(2)(b) and (c) shall not apply.
- (c) With regard to Switzerland, Annex II to the Regulation is extended to include the following aircraft as products falling under Article 2(3)(a)(ii) of Commission Regulation No 1702/2003:
  - A/c – [HB IDJ] – type CL600-2B19
  - A/c – [HB-IGM] – type Gulfstream G-V-SP
  - A/c – [HB-IIS, HB-IY, HB-IMJ, HB-IVL, HB-IVZ, HB-JES] – type Gulfstream G-V
  - A/c – [HB-IBX, HB-IKR, HB-IMY, HB-ITF, HB-IWY] – type Gulfstream G-IV
  - A/c – [HB-XJF, HB-ZCW, HB-ZDF, HB-ZDO] – type MD 900

**No 1643/2003**

Regulation of the European Parliament and of the Council of 22 July 2003 amending Regulation (EC) No 1592/2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency.

**No 1701/2003**

Commission Regulation of 24 September 2003 adapting Article 6 of Regulation (EC) No 1592/2002 of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Aviation Safety Agency.

**No 334/2007**

Commission Regulation of 28 March 2007 amending Regulation (EC) No 1592/2002 of the European Parliament and the Council on common rules in the field of civil aviation and establishing a European Aviation Safety Agency.

**No 103/2007**

Commission Regulation of 2 February 2007 on the extension of the transitional period referred to in Article 53(4) of Regulation (EC) No 1592/2002 of the European Parliament and of the Council.’

- c) The following shall be inserted in point 3 (Air Safety) after the reference to Commission Implementing Regulation (EU) No 295/2012:

**‘No 216/2008**

Regulation of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European

Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC.

The provisions of the Regulation shall, for the purposes of this Convention, be read with the following adaptations:

- (a) In Article 12(1), the words "or an EFTA State" shall be inserted after the words "the Community".
- (b) Article 12(2) shall not apply.
- (c) Annex II to the Regulation shall be extended to include the following aircraft as products covered by Article 2(3)(a)(ii) of Commission Regulation (EC) No 1702/2003 of 24 September 2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations:

A/c - [HB-IDJ] – type CL600-2B19

A/c - [HB-IKR, HB-IMY, HB-IWY] – type Gulfstream G-IV

A/c - [HB-IMJ, HB-IVZ, HB-JES] – type Gulfstream G-V

A/c - [HB-XJF, HB-ZCW, HB-ZDF] – type MD900.

#### **No 690/2009**

Commission Regulation of 30 July 2009 amending Regulation (EC) No 216/2008 of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC.

#### **No 1108/2009**

Regulation of the European Parliament and of the Council of 21 October 2009 amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services and repealing Directive 2006/23/EC.

#### **No 1149/2011**

Commission Regulation of 21 October 2011 amending Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks.

#### **No 593/2012**

Commission Regulation of 5 July 2012 amending Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks.

#### **No 748/2012**

Commission Regulation of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations.

**No 646/2012**

Commission Implementing Regulation of 16 July 2012 laying down detailed rules on fines and periodic payments pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.’

- d) The following shall be inserted in point 4 (Aviation Security) after the reference to Commission Decision 8042/2011:

**‘No 859/2011**

Commission Implementing Regulation of 25 August 2011 on amending Regulation (EU) No 185/2010 laying down detailed measures for the implementation of the common basic standards on aviation security in respect of air cargo and mail.

**No 173/2012**

Commission Implementing Regulation of 29 February 2012 amending Regulation (EU) No 185/2010 as regards clarification and simplification of certain specific aviation security measures.

**No 711/2012**

Commission Implementing Regulation of 3 August 2012 amending Regulation (EU) No 185/2010 laying down detailed measures for the implementation of the common basic standards on aviation security as regards the methods used for screening persons other than passengers and items carried.

**No 5862/2011**

Commission Implementing Decision of 17.8.2011 amending Commission Decision 2010/774/EU laying down detailed measures for the implementation of common basic standards on aviation security in respect of air cargo and mail.

**No 9407/2011**

Commission Implementing Decision of 21.12.2011 amending Commission Decision 2010/774/EU in respect of air cargo and mail.

**No 1228/2012**

Commission Implementing Decision of 29.2.2012 amending Commission Decision 2010/774/EU as regards clarification and simplification of certain specific aviation security measures.

**No 5672/2012**

Commission Implementing Decision of 10.8.2012 amending Commission Decision 2012/774/EU laying down detailed measures for the implementation of the common basic standards on aviation security in respect of air cargo and mail.

**No 5880/2012**

Commission Implementing Decision of 23.8.2012 amending Commission Decision 2010/774/EU laying down detailed measures for the implementation

of the common basic standards on aviation security as regards the methods used for screening persons other than passengers and items carried.’

2. This Decision shall take immediate effect.
  3. The Secretary-General of the European Free Trade Association shall deposit the text of this Decision with the Depositary.
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