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Aan: Jacques Denecker

CC: Ciofu Eduard

Onderwerp: RE: SAFA report requested / correction

Dear Mr. Denecker,

At first my apologies for the late reply to your Email.

Thank you for your interest in aviation safety. Further to your e-mail inquiry addressed to EASA I would like to provide you some answers to the issues you raised.

As regards SAFA inspections performed on aircraft operated by Air Charter Express, Meridian Airways Ltd. and Avient Aviation I can confirm that they were inspected numerous times in the past three years. Please find below an overview of the inspections conducted during 2007-2009 on those operators:

	2007		2008		2009	
	No. of Inspections	Inspected in	No. of Inspections	Inspected in	No. of Inspections	Inspected in
Air Charter Express	4	Belgium; Germany	7	Belgium France Netherlands Norway UK	21	Belgium France Germany Ireland Malta Norway Turkey UK
Meridian Airways Ltd.*					4	Belgium Germany Netherlands UK
Avient Aviation	6	France Germany Italy UK	11	France Germany Norway Spain	13	Belgium France Germany Malta Norway

* Note: Meridian Airways Ltd. started operating in 2009.

Concerning the release of the actual SAFA ramp inspection reports or their results, I must inform you that the SAFA reports are confidential (see art. 6 of the Directive 2004/36/CE^[1]) and that, moreover, EASA is not the author of any SAFA ramp inspection reports as they are drafted by the inspecting authority. However I want to assure you that each EU member state has the obligation, whenever an inspection reveals a significant or major finding, to communicate those findings to operators and their oversight authorities, asking for the rectification of those deficiencies.

Aggregated SAFA Reports (covering the years 2006, 2007, 2008) are available on EASA's website (http://easa.europa.eu/ws_prod/s/s_safa.php). As those reports are prepared by EASA but published by the European Commission we are not in the position to provide you with the exact date when the Aggregated Report for 2009 will be published.

EASA is regularly analysing the data obtained through SAFA inspections and the results of such analyses are one of the elements used by the Commission to prioritise the SAFA inspections (as provided by Commission Regulation 351/2008/EC^[2]). Identified operators should in principle be inspected more often and the data can subsequently be used to either confirm a normal, safe operation or to advise the Member States and/or European Commission to take the appropriate measures. It must be noted though that EASA's responsibility is to coordinate the SAFA Programme while the inspecting tasks are always carried out by the

[1] OJ L 143/76 of 30.04.2004

[2] OJ L 109/7 of 19.04.2008

states participating the SAFA Programme.

I also want to inform you that, in accordance with international law (e.g. the Chicago Convention) the responsibility to ensure the safe operation of aircraft rests primordially with the State of Operator. Currently in Europe a process similar to the one used in the United States (IASA) does not exist. The new EASA Basic Regulation^[3] provides for an *a priori* authorisation of third country operators wishing to fly in, within or out of the EU, however this new process will come into effect upon the publication of the relevant Implementing Rules (at the latest by April 2012) which will also detail the process leading to the issuance of such an authorisation. This authorisation will be another safeguard for the EU citizens but should not be considered as a recertification of the operator nor should it imply that EASA will take over the oversight responsibilities which will continue to remain with the State of Operator.



With reference to your query about the presence (or absence) of certain operators on the Community List of banned carriers, I would advise you to address this question to the European Commission (DG MOVE) since this is an activity which falls completely under the competence of the European Commission.

Best regards,

Jeroen Jansen

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^[3] Regulation 216/2008, OJ L79/1 of 19.03.2008