

Proposal for organising the work for performing impact assessment for the MRA FCL

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Your safety is our mission.

Structure of the session

Present the proposal for organising the impact assessment work for MRA FCL

Comments/feedback on the ToR

Discussion on the possible scenarios/options for MRA FCL implementation

Nominations of the ASEAN MS representatives to the IA project team and review of available data/collected data for the IA

Background

- Recommendation from the ASEAN MS delegates from workshop 4/March 2020 to the ATWG to complement the MRA-FCL decision making with a high level impact assessment
- ASEAN Consultative Committee on Standards & Quality Guidelines for the Development of Mutual Recognition Arrangements

“The successful development and conclusion of an MRA requires a substantial investment in time and energy by the Member States. It is thus recommended that a demonstrable justification of the benefits is established prior to commencement of the development. The justification should be based on an investigation of the impact, costs and benefits to be derived from the intended MRAs”.

Objectives of the impact assessment

Define the best possible solution for implementation of the MRA FCL while considering the MRA FCL objectives and different possible approaches

- Highlighting differences between the different scenarios/options
- Estimating the costs and benefits for implementation of the MRA
- Identifying the best way to achieve the objectives
- Ensuring transparency and involvement of the stakeholders

Why to perform the IA on ASEAN MRA FCL?

Value added of impact assessment

- Identify benefits and costs in implementing MRA FCL
- Support decision-making process in comparing alternative approaches when discussing detailed implementation of MRA FCL

Leadership of the ASEAN MS in performing an impact assessment

- Defining the scope of the impact assessment
- Provide data and allocate resources

Proportionality of the impact assessment

- Focus on issues which are controversial/inducing significant impact and not on all items subject to the MRA FCL

Work with the stakeholders

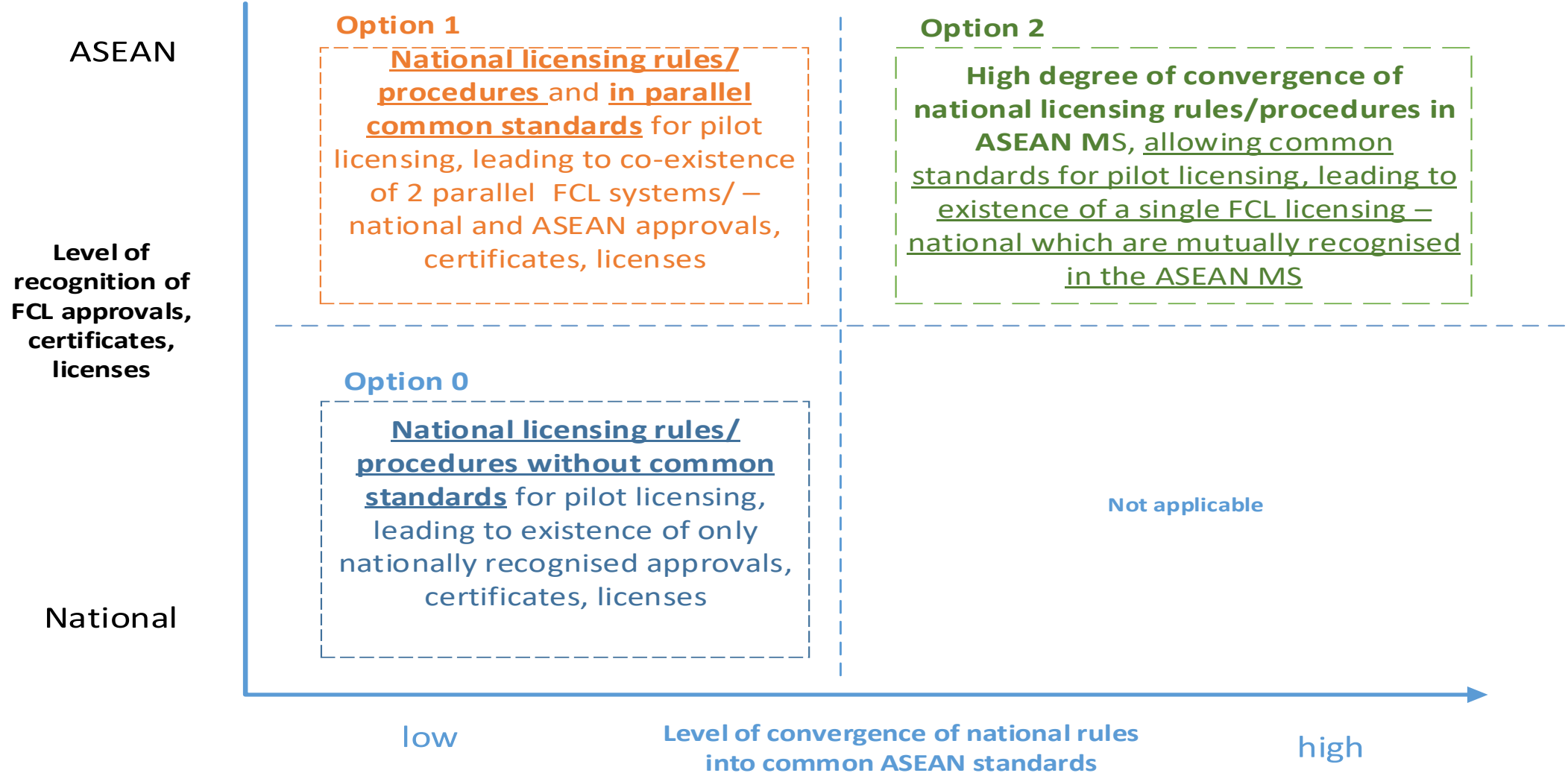
- Essential to ensure accurate assessment
- Facilitate the buy-in

Objectives ASEAN MRA FCL

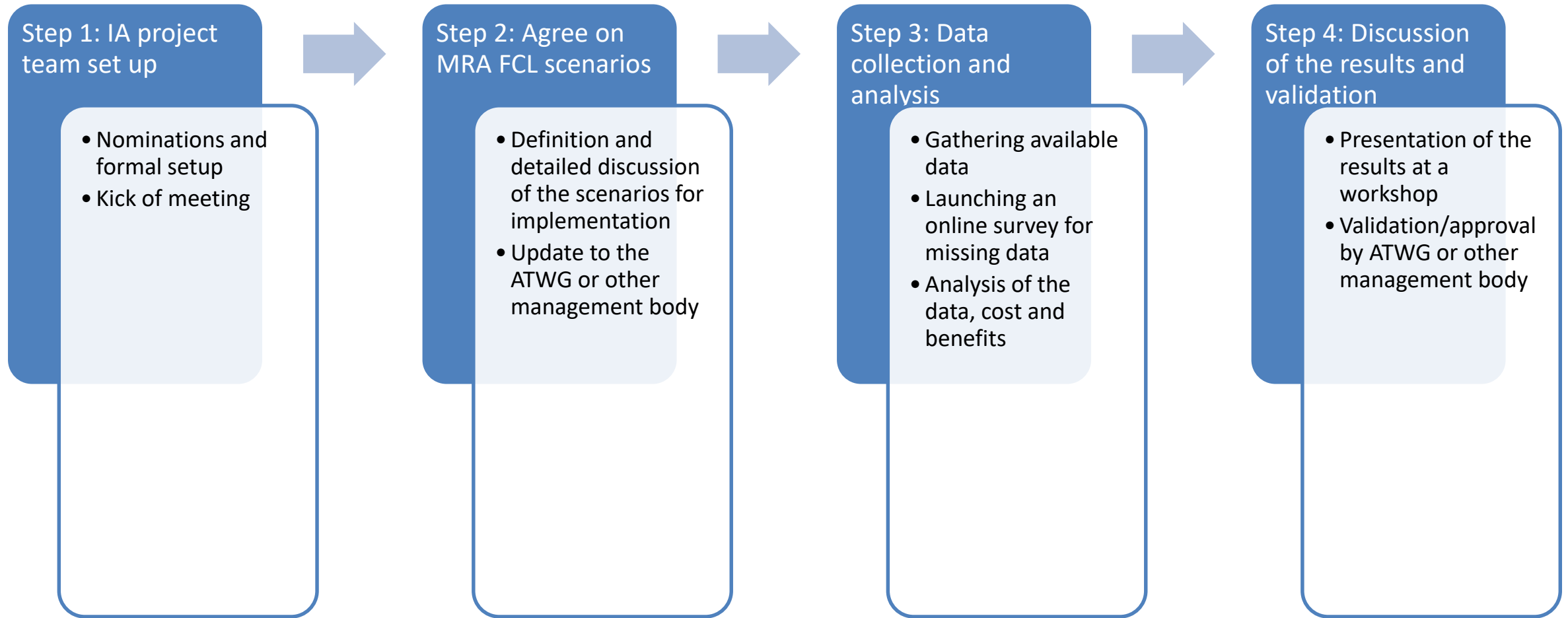
- Establish mechanism for mutual recognition of approvals, certificates, licences in the area of flight crew licensing between or among ASEAN Member States
- Enhance safety through level-playing field
- Facilitate the exchange of services between the competent authorities and among industry in ASEAN
- Enhance efficiency avoiding duplication of work
- Exchange of information to consider best practices
- Ensure fair competition for ASEAN Industry
- Implement and maintain the mechanism of mutual recognition based on an incremental/phased confidence building approach

How to achieve the objectives of MRA FCL?

Possible scenarios only for discussion purposes



Steps in performing the impact assessment



Methodology

- The analysis will follow the impact assessment methodology, combining different tools (cost-benefit analysis, multi-criteria analysis, case study, etc.)
- The analysis will encompass both qualitative and to the possible extent quantitative information collected and aggregated to ASEAN MS level
- It will look at impacts (positive and negative) for major affected stakeholders:
 - Commercial pilots - Training organisations - Airlines
 - FSTD operators - Competent authorities

Timetable of activities

No.	Key Activities	Indicative date
1	Approval of the current ToR	Sep 2020
2	IA project team setup with nominations by each MS	Sept 2020
3	Kick off meeting of the IA project team. Discussion of the scenarios/options for MRA FCL implementation	Oct 2020
4	Development of the survey/questionnaire to collect data for the cost-benefit analysis by the IA project team	Nov 2020
5	Data collection by each ASEAN MS	By Jan 2021
6	Data analysis of the survey results. Initial results	Feb 2021
7	Presentation of the IA results by the IA project team to the ASEAN MS	March 2021
8	Validation of the cost-benefit results by the ATWG	April 2021

Comment: the proposed timetable is adjusted to align with the ATWG annual session. However, anticipating the IA result earlier in April 2021 depends on the commitment and availability of the IA project team.

Project team, expertise and responsibilities

Project team composition		Indicative workload
ASEAN MS competent authority	Member + alternate	50 hours per MS
PST contact person ARISE+	Peter Weiss	30 hours
EASA support team – IA officer, FCL senior expert		80 hours

Expertise of the nominees from ASEAN MS:

- Variety of FCL topics (ATO, FSTD, license, etc)
- Knowledge of national rules/procedures for flight crew licensing
- Good understanding of the objectives and framework of MRA FCL
- Act as a liaison contact person for data collection for the sake of IA

Responsibilities of the IA project team:

- Perform the work, according to the description
- Contribute to the detailed definition of scenarios/options
- Contribute to delivery of necessary data from the respective country, development of the survey/questionnaire, providing answers to it on behalf of the respective authority
- Support the undertaking of analysis
- Presentation of the final results

Success factors, risks, limitations

Success factors	Limitations	Risks
<ul style="list-style-type: none">• Leadership of the AMS• Competence, capacity and availability of ASEAN MS nominees to provide input• Synchronisation of the IA results with the Implementing Protocols development• Regular update to the ASEAN management bodies	<ul style="list-style-type: none">• Not comprehensive full fledged IA	<ul style="list-style-type: none">• Impact of COVID• Insufficient data and contribution• Exceeding deadlines

Part 2

Comments/feedback on the ToR

Part 3

Discussion on the possible scenarios/options for MRA FCL implementation

How to achieve the objectives of MRA FCL?

Scenarios for discussion purposes

Scenario 0 No change

FCL is regulated at national level

FCL approvals, certificates and licences recognised within the respective country

Scenario 1 Secondary approval/certification of MRA FCL components

Each ASEAN MS keeps its own national rules

Additional common standards (based on ICAO)

Stakeholders can apply the common standards and upon approval by a dedicated body to have access to mutual recognised ATO/FSTD

Scenario 2: Conversion of the national FCL system to ASEAN common system

Common standards which will be transposed into the ASEAN MS national legislation (with Special Conditions).

Building confidence and verification of each MS

MS has a status of an active MRA FCL state and its approvals/ certificates/ licenses mutually recognised

Option 1: Secondary certification/approval of MRA FCL components

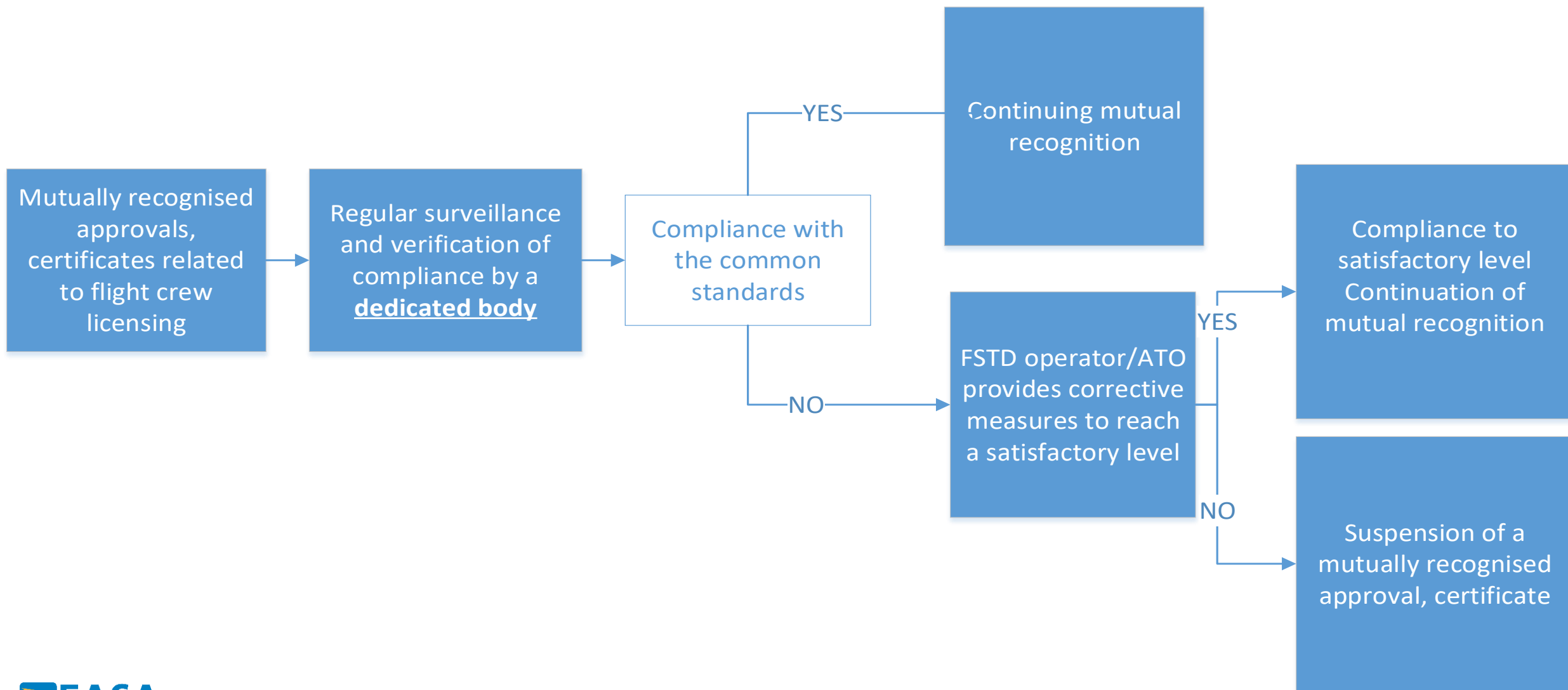
Development stage *(for discussion purposes)*



* Remark: FCL, Part MED should be converted as a final step to have fully mutually recognised licenses.
Then the pilot license might be replaced with the AMS recognised.

Option 1: Secondary certification/approval of MRA FCL components

Operational stage *(for discussion purposes)*



Example of costs related to option 1

	Dedicated body for MRA FCL implementation	AMS Competent authorities	ATO/FSTD operators with mutually recognised approvals/certificates (in addition to the national ones)	ATO/FSTD operators with national approvals/certificates
One-off costs	Support the development of common baseline standards/requirements for mutual recognition, setup of the governance, verification, oversight of the MRA FCL components (allocate staff, train staff, prepare procedures, manuals, management system, etc)	No additional one-off costs.	Prepare their internal procedures, manuals, train the staff, pilots, instructors, examiners to comply with the common ASEAN FCL standards/requirements	
Recurrent costs	Assessment of ATO/operators to be white-listed and AMS recognised	No change. No additional costs. (Regular CA's tasks on approval, oversight of national ATO/operators, etc)	Fees and charges to obtain/validate/renew a national certificate/approval	No change. No additional costs.
	Oversight of white-listed ATO/operators with ASEAN approvals/certificates		Fees and charges to obtain/validate/renew an ASEAN certificate/approval	
	Regular update of common ASEAN baseline requirements/standards, manuals, procedures, training of staff.		Workload related to maintain manuals, procedures, internal audit, train staff under 2 systems: national and common ASEAN	
	Audit/oversight of the body by a coordination mechanism for the MRA FCL			

Costs for the pilots: Assessment according to Part MED in each country and then the pilot national license might be replaced with the AMS recognised.

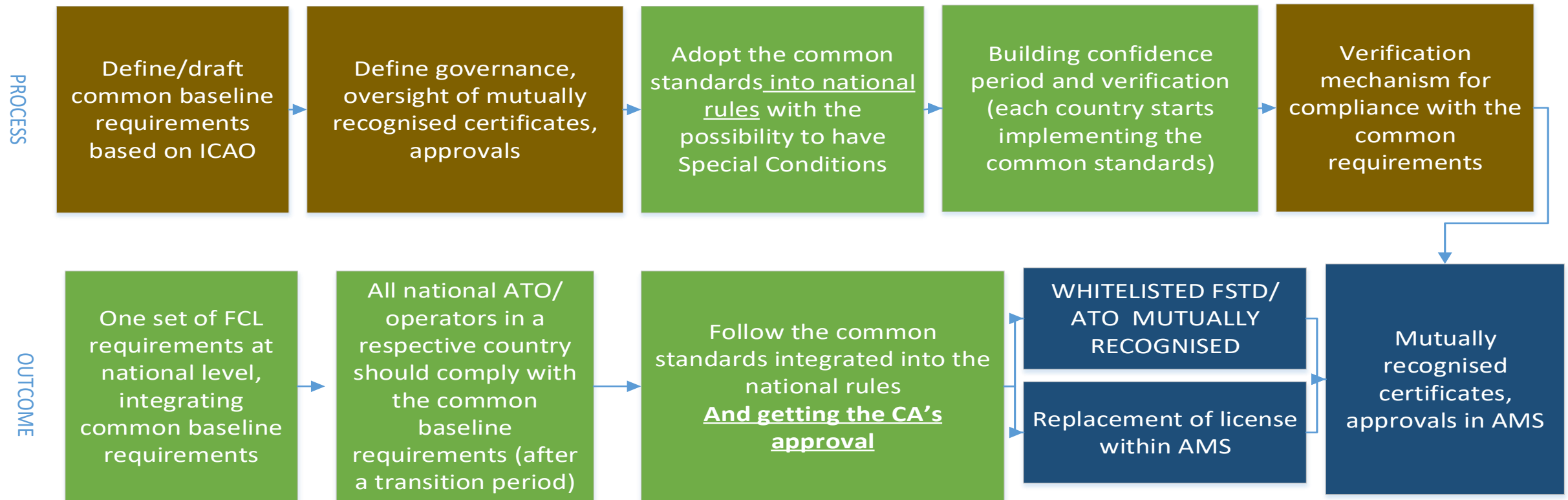
Example of benefits related to option 1

Dedicated body for MRA FCL implementation	AMS Competent authorities	ATO/FSTD operators with mutually recognised approvals/certificates (in addition to the national ones)	Airlines/ Commercial pilots	ATO/FSTD operators with national approvals/certifications
<ul style="list-style-type: none"> • If body is setup by AMS Competent authorities they may share expertise, pool resources to perform oversight • Training and enhanced competence of inspectors, based on the common standard 	<p>No change. No additional benefit.</p>	<ul style="list-style-type: none"> • FSTD operated in country (A) and used for pilot training in countries (B), (C) etc. • ATO in country (A) train pilots from countries (B), (C) according to common standards, allowing: • One single ASEAN certificate/ approval recognised in all AMS countries; • None/reduced additional costs to be paid for FSTD/ATO approval/ certificate in the respective countries; • Higher number of available and easily accessible FSTD/ATO in AMS 	<p>Recognised pilot licenses in AMS (conversion) Free movement of pilots Labour mobility Market development and business opportunities for the airlines Reduced duplicative regulation barriers Safety benefits</p>	<p>No change. No additional benefit.</p>

How many ATO/FSTD operators do you expect would be willing/able to meet the common ASEAN requirements and be white-listed? What assumption could we make out of the total population of ATO/operators in AMS?

Option 2: Conversion of national FCL to ASEAN common system

Development stage *(for discussion purposes)*

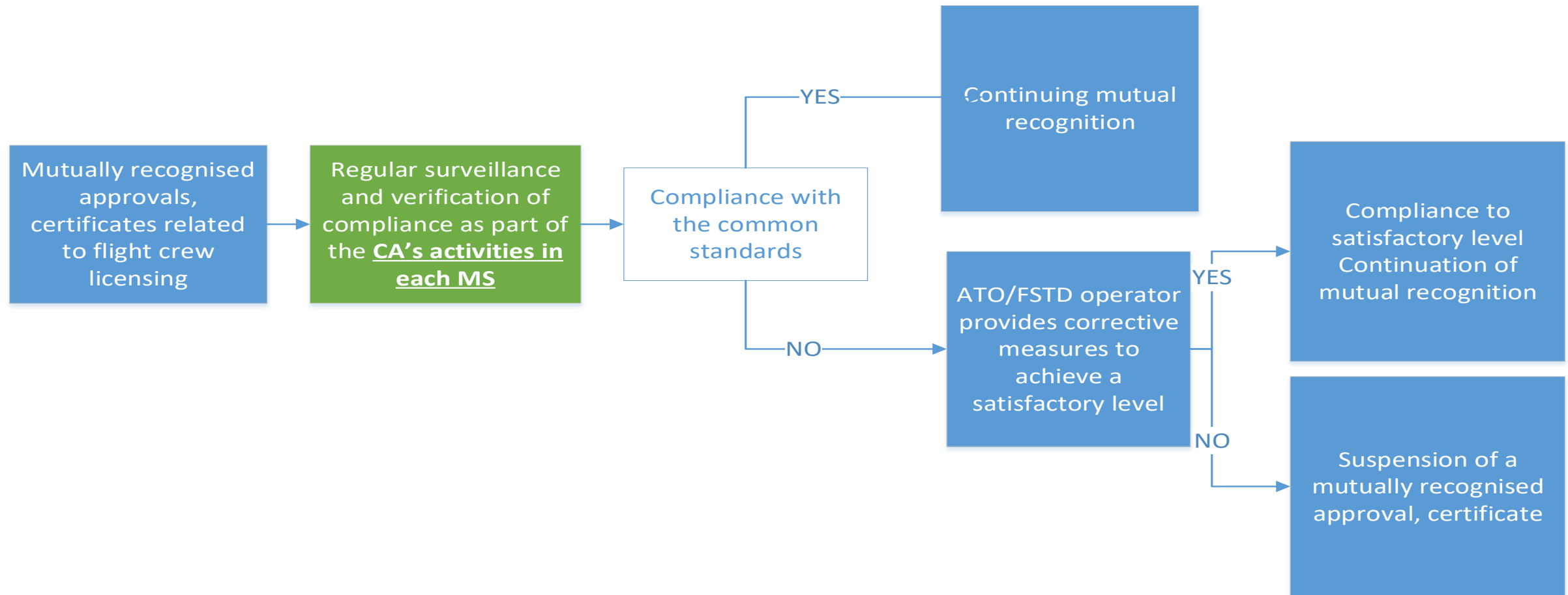


Note: The fields in green are different from Option 1

*** Remark: FCL, Part MED should be converted as a final step to have fully mutually recognised licenses. Then the pilot license might be replaced with the AMS recognised.**

Option 2: Conversion of national FCL to ASEAN common system

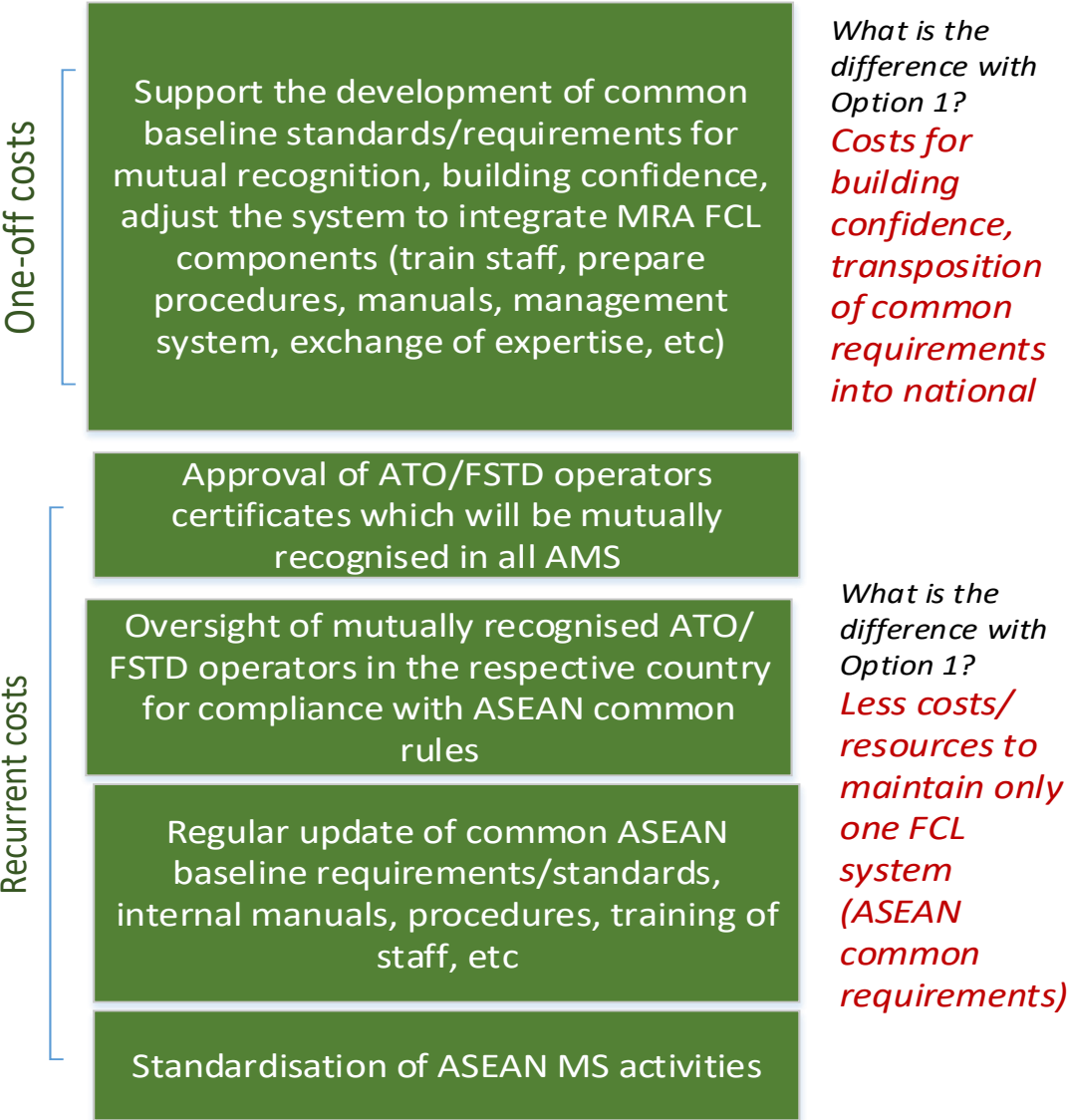
Operational stage *(for discussion purposes)*



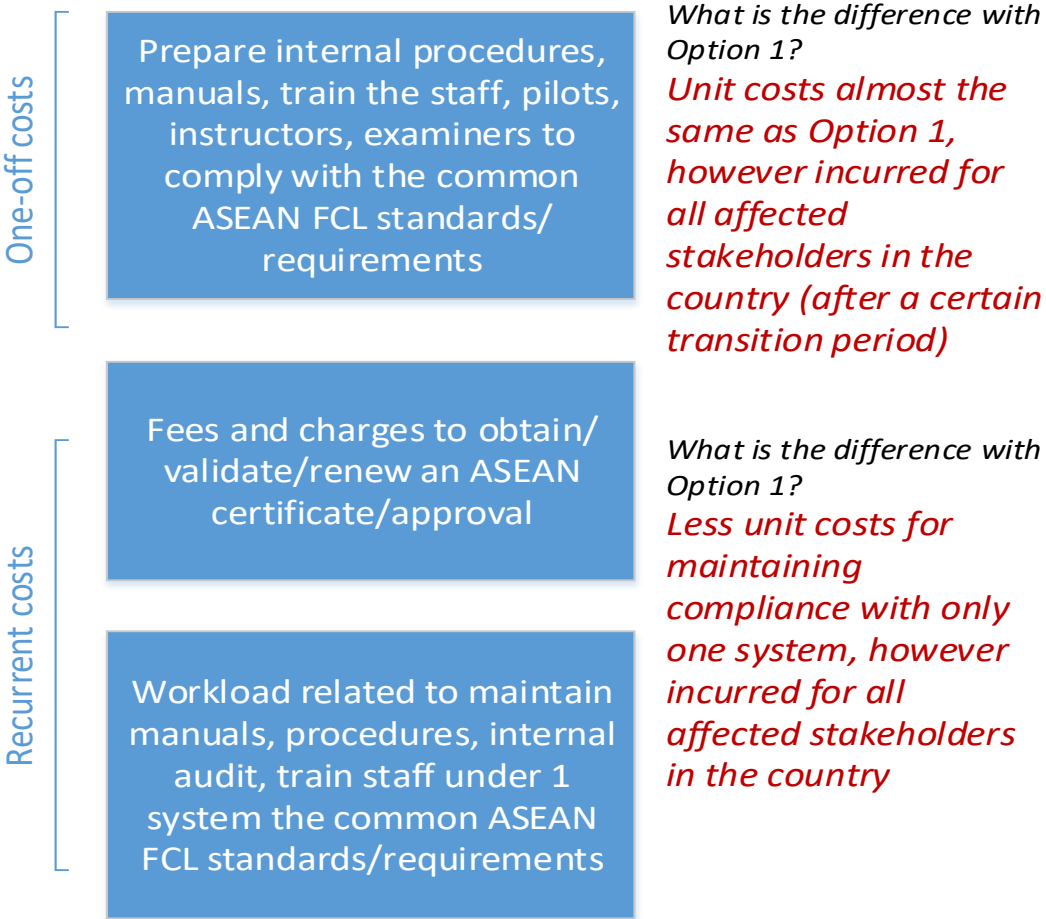
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Example of costs related to option 2

AMS Competent authorities



ATO/FSTD operators



Example of benefits related to option 2

AMS Competent authorities (CA)

- Share expertise, pooling resources/ expertise to perform oversight
- Improved competence of inspectors, based on the common standard
- Long-term sustainable capacity development for all AMS

What is the difference with Option 1?

Benefits are for the AMS CA

ATO/FSTD operators

- FSTD operated in country (A) and used for pilot training in countries (B), (C) etc.
- ATO in country (A) train pilots from countries (B), (C) according to common standards, allowing:
- One single ASEAN certificate/ approval recognised in all AMS countries;
- None/reduced additional costs to be paid for approval of ATO/FSTD in the respective countries;
- Higher number of available and easily accessible FSTD/ATO in AMS

What is the difference with Option 1?

Same benefits as Option 1 for the individuals, however, provided for all ATO/operators in the respective country

Airlines/Commercial pilots

Recognised pilot licenses in AMS (conversion)
Free movement of pilots
Labour mobility
Market development and business opportunities for the airlines
Reduced duplicative regulation barriers
Safety benefits

What is the difference with Option 1?

Same benefits as Option 1 for the individuals, however, provided for all commercial pilots in AMS

What percentage of the existing ATO/FSTD operators in your country would be able to meet the common ASEAN requirements? What assumption could we make?

Do you expect any barriers for the ATO/FSTD operators to comply with the common requirements?

Part 4

Nominations of the ASEAN MS
representatives to the IA project team and
review of available data/collected data from
all ASEAN MS which can be used for the IA
(to be presented by each MS)

Thank you for your attention!

Comments and questions welcomed.

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