

ROADMAP			
TITLE OF THE INITIATIVE	Authorised Release (Airworthiness) Certificates		
LEAD DG – RESPONSIBLE UNIT – AP NUMBER	DG TAXUD – UNIT A4	DATE OF ROADMAP	23/05/2017
LIKELY TYPE OF INITIATIVE	Council Regulation		
INDICATIVE PLANNING	Adoption by the College 10/2017- Adoption by the Council 11/2017		
ADDITIONAL INFORMATION	Suspensions - European Commission		
This Roadmap aims to inform stakeholders about the Commission's work in order to allow them to provide feedback and to participate effectively in future consultation activities. Stakeholders are in particular invited to provide views on the Commission's understanding of the problem and possible solutions and to make available any relevant information that they may have. The Roadmap is provided for information purposes only and its content may change. This Roadmap does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content.			

A. Context, Problem definition and Subsidiarity Check
<p>Context</p> <p>Council Regulation (EC) No 1147/2002 provides for the temporarily suspension of the autonomous Common Customs Tariff duties on certain goods imported with airworthiness certificates.</p> <p>The aim of that Regulation was to simplify customs procedures for duty-free imports of parts, components and other goods used for the manufacture, repair, maintenance, rebuilding, modification or conversion of aircraft.</p> <p>The Regulation has indeed simplified the process of customs clearance and reduced the related administrative burden for the duty-free import procedure of aircraft parts and components from third countries.</p> <p>However, certain provisions of the said Regulation require to be updated and modernised. In addition, the provisions related to the fact that parts are to be used for civil aircraft has led to different interpretations by the national authorities which in turn may hinder its uniform implementation.</p> <p>Also there is a need for simplification as far as parts that can be used equally in civil and military aircraft are concerned. In this regard it also noted that the proposal is aligned to a rather recent modification to customs legislation by which the simplified discharge of the inward processing procedure was extended to military aircraft¹.</p> <p>The proposal is in line with the Union policy in the field of aviation and builds on the process of mutual recognition of authorised release certificates between EU and third countries.</p> <p>In a parallel proposal, the customs procedures for the duty-free imports of aircraft and aircraft engines intended to be disassembled and dismantled in the EU will be simplified.</p> <p>Problem the initiative aims to tackle</p> <p>This initiative aims to address the following four issues:</p> <ol style="list-style-type: none"> 1. To replace the concept of the "airworthiness certificate" (which, is nowadays only associated with aircraft and not with parts or appliances) by the "authorised release certificate", i.e. the European Aviation Safety Agency (EASA) Form 1 or its equivalent. 2. It occurred that certain Member States are of the opinion that parts covered by an airworthiness certificate are to be used exclusively for civil aircrafts; other Member States considered that if parts can be used equally in civil and military aircraft, they can benefit from a duty suspension under Regulation (EC) No 1147/2002. For simplification and uniform application purposes it is envisaged to allow that parts intended for military aircraft also benefit from the duty suspension as long of course they are accompanied by the authorised release certificate. 3. The current provisions make reference to the submission of "original certificates". However, nowadays these certificates are typically in a digital form and thus the Regulation needs to be modernised accordingly.

¹ Commission Implementing Regulation (EU) No 1223/2014 amending Regulation (EEC) No 2454/93 as regards the simplified discharge of the inward processing procedure (OJ L 330, 15.11.2014, p.37).

4. It is intended to draw a list of Combined Nomenclature headings (4 digit level) as an Annex to the Regulation which will narrow the goods eligible for suspension but would exclude, however, possibilities of misuse or misinterpretation of the regulation.
Subsidiarity check
The proposal falls under the exclusive competence of the Union. The subsidiary principle therefore does not apply.
B. What does the initiative aim to achieve and how
<p>The proposed Regulation (as its predecessor Reg. 1147/2002) ensures clarity, simplification, assists in the competitiveness of the EU Aeronautics Industry and reduces administrative burden for operators and also for customs administrations. The proposed Regulation also takes into account the legal developments of other EU policies and ensures uniform application in areas where the previous Regulation lacked in precision.</p> <p>The proposal preserves the objectives of Regulation (EC) No 1147/2002. The proposal is fully in line with existing policies and objectives.</p>
C. Better regulation
Consultation strategy
<p>Numerous meetings with the concerned industries and their associations have taken place.</p> <p>The assessment of this proposal will be carried out with the assistance of the expert group of the Economic Tariff Questions Group (ETQG)². ETQG consists of delegations from all Member States. This expert group has already been informed on the envisaged course of action and has expressed its consent.</p> <p>Further consultations with the ETQG will take place in the second quarter of 2017.</p>
Impact assessment
<p>In order to address the outdated provisions of Council Regulation temporarily suspending the autonomous Common Customs Tariff duties on certain goods imported with airworthiness certificates it is necessary to replace Regulation (EC) No 1147/2002.</p> <p>No impact assessment is being prepared since no significant impacts (economic, environmental and/or social) are expected compared to the current situation and since there is no discretion on policy choices.</p> <p>In accordance with Article 5(4) of the Treaty on European Union, this proposal will not go beyond what is necessary to achieve the objectives pursued.</p>
Evaluations and fitness checks
An evaluation of the scheme for the autonomous suspensions of the common customs tariff (CCT) duties has taken place in 2013. Although the Regulation (EC) No 1147/2002 was not directly evaluated therein, the overall positive conclusions of the evaluation would appear applicable also the autonomous suspension of aircraft parts and components.

² Expert Group which is set up by Commission Communication concerning autonomous tariff suspensions and quotas (2001/C 363/02).