



2024/1400

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**COMMISSION DELEGATED REGULATION (EU) 2024/1400**

**of 13 March 2024**

**amending Regulation (EU) No 139/2014 as regards aerodrome safety, change of aerodrome operator and occurrence reporting**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 Regulation (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 <sup>(1)</sup>, and in particular Article 39(1) thereof,

Whereas:

- (1) Commission Regulation (EU) No 139/2014 <sup>(2)</sup> lays down requirements and administrative procedures related to aerodromes, including their management, operation, certification and oversight.
- (2) In the case when an operator of an aerodrome certified in accordance with Regulation (EU) No 139/2014 ceases its operations and a new aerodrome operator takes over, the change should occur in a manner that ensures a safe and smooth transition of aerodrome operations.
- (3) The occurrence-reporting system of aerodrome operators and apron management service providers should be aligned with the provisions of Regulation (EU) No 376/2014 of the European Parliament and of the Council <sup>(3)</sup> to ensure consistency between those regulations.
- (4) Where aerodrome operators also provide air traffic services, the requirements for compliance monitoring should be aligned with the corresponding provisions of Commission Implementing Regulation (EU) 2017/373 <sup>(4)</sup> in order to facilitate the integration of compliance monitoring under a single management system.
- (5) Regulation (EU) No 139/2014 requires aerodrome operators to establish and lead safety programmes and safety committees. Furthermore, the International Civil Aviation Organisation ('ICAO') Doc 9981 'Procedures for Air Navigation Services – Aerodromes' added specific provisions for the composition and functioning of these committees. Therefore, the provisions for the functioning of local runway safety teams and other aerodrome safety committees should be amended in order to reflect those developments at ICAO level.
- (6) A plan for the removal of disabled aircraft should be established by the aerodrome operator in order to ensure that a coordination mechanism is in place, and to ensure access to resources and equipment.
- (7) Minimum common requirements should be laid down regarding aerodrome works safety based on ICAO Standard and Recommended Practices and investigation of safety occurrences, therefore a process should be put in place to manage the safety of aerodrome works, that includes authorisations, notifications, safety measures, oversight and control.

<sup>(1)</sup> OJ L 212, 22.8.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1139/oj>.

<sup>(2)</sup> Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 44, 14.2.2014, p. 1, ELI: <http://data.europa.eu/eli/reg/2014/139/oj>).

<sup>(3)</sup> Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18, ELI: <http://data.europa.eu/eli/reg/2014/376/oj>).

<sup>(4)</sup> Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011 (OJ L 62, 8.3.2017, p. 1, ELI: [http://data.europa.eu/eli/reg\\_impl/2017/373/oj](http://data.europa.eu/eli/reg_impl/2017/373/oj)).

- (8) Runways and taxiways, or parts thereof, that are closed either temporarily or permanently, should be appropriately marked in order to prevent their use by aircraft.
- (9) The use of an aerodrome by an aircraft that exceeds the certified design characteristics of the aerodrome should be assessed and a prior approval should be obtained from the competent authority in order to ensure that all safety risks are properly assessed and mitigated.
- (10) Locations on the movement area with a history or a potential risk of collision or runway incursions should be identified and designated as 'hot spots' and the associated risks should be mitigated in order to prevent the risk of runway incursion as well as the risk of collision between aircraft and between aircraft and vehicles.
- (11) Suspension or closure of runway operations should be conducted in a safe and coordinated manner, therefore appropriate procedures should be established and implemented by the aerodrome operator.
- (12) Pavements can be damaged when excessively used by heavy aircraft, therefore appropriate procedures for overload operations should be established to regulate the operation of such aircraft and to prevent excessive pavement degradation.
- (13) Regulation (EU) No 139/2014 should therefore be amended accordingly.
- (14) To ensure a smooth implementation of the measures introduced by this Regulation while keeping a high and uniform level of civil aviation safety in the Union, the industry and the competent authorities of the Member States should be provided with sufficient time to adapt to the measures introduced by this Regulation, and therefore it should apply 12 months after its entry into force,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

#### **Amendments to Regulation (EU) No 139/2014**

Regulation (EU) No 139/2014 is amended as follows:

- (1) in Article 7, the following paragraph 4 is added:  
'4. The DAAD attached to the certificate shall be transferred to the new aerodrome operator to whom the operation of the aerodrome is to be transferred, provided that the conditions referred to in paragraphs 1 and 3 are met.';
- (2) Annexes I, II, III and IV are amended in accordance with the Annex to this Regulation.

#### *Article 2*

#### **Date of entry into force and application**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 24 May 2025.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 March 2024.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

## ANNEX

Annexes I, II, III and IV to Regulation (EU) No 139/2014 are amended as follows:

(1) Annex I is amended as follows:

(a) the following point (4a) is inserted:

‘(4a) “[aerodrome] traffic density” means the number of movements in the mean busy hour and is the arithmetic mean over the year of the number of movements in the daily busiest hour;’;

(b) the following point (19b) is inserted:

‘(19b) “hot spot” means a location on an aerodrome movement area with a history or potential risk of collision or runway incursion, and where heightened attention by pilots or drivers is necessary;’;

(c) point (47) is replaced by the following:

‘(47) “terms of the certificate” means all the following:

- ICAO location indicators,
- conditions to operate (VFR/IFR, day/night),
- aeroplane operations on specially prepared winter runways,
- runway – declared distances,
- runway types and approaches provided,
- aerodrome reference code,
- scope of aircraft operations exceeding the certified design characteristics of the aerodrome,
- provision of apron management services (yes/no),
- rescue and firefighting level of protection;’;

(2) Annex II is amended as follows:

(a) in point ADR.AR.C.035, point (c) is replaced by the following:

‘(c) The Competent Authority shall issue the certificate(s) referred to in point (b) when the aerodrome operator has demonstrated to the satisfaction of the Competent Authority compliance with points ADR.OR.B.025 and ADR.OR.E.005. Where the aerodrome operator changes, the new aerodrome operator shall not be required to demonstrate compliance with the requirements set out in point ADR.OR.B.025(a)(1) and point ADR.OR.E.005, if those requirements concern elements that remain unchanged.’;

(b) the following point ADR.AR.C.060 is added:

**‘ADR.AR.C.060 Change of aerodrome operator**

Upon receiving an application for the change of an aerodrome operator, in accordance with point ADR.OR.B.060, the Competent Authority shall:

- (a) issue the new certificate(s) in accordance with point ADR.AR.C.035;
- (b) revoke the previous certificate(s).’;

(3) Annex III is amended as follows:

(a) the following point ADR.OR.B.060 is inserted:

**‘ADR.OR.B.060 Change of aerodrome operator**

- (a) The current aerodrome operator shall notify to the Competent Authority the date on which the transfer will occur.

- (b) The new operator to whom the operation of the aerodrome is to be transferred shall apply for a certificate to the competent authority, prior to the date on which the transfer will occur, in accordance with point ADR.OR.B.015.
  - (c) The new operator to whom the operation of the aerodrome is to be transferred shall demonstrate compliance in accordance with point ADR.OR.B.025. The new aerodrome operation shall not be required to demonstrate compliance with the requirements set out in point ADR.OR.B.025(a)(1) and point ADR.OR.E.005, to the extent those requirements concern elements that remain unchanged.;
- (b) point ADR.OR.C.030 is replaced by the following:

**‘ADR.OR.C.030 Occurrence reporting**

- (a) As part of its management system, the aerodrome operator shall establish and maintain an occurrence-reporting system, including mandatory and voluntary reporting. The aerodrome operator shall ensure that the system complies with the applicable requirements of Regulation (EU) No 376/2014 and Regulation (EU) 2018/1139, as well as with the delegated and implementing acts adopted on the basis of those Regulations.
  - (b) The aerodrome operator shall report to the competent authority and to any other organisation required to be informed by the Member State any safety-related event or condition that endangers or, if not corrected or addressed, could endanger an aircraft, its occupants, or any other person, and in particular any accident or serious incident.
  - (c) In addition to reports submitted in accordance with point (b), the aerodrome operator shall report to the competent authority and the organisation responsible for the design of the aerodrome equipment any malfunction, technical defect, exceedance of technical limitations, occurrence or other irregular circumstance that has or may have endangered an aircraft, its occupants or any other person and has not resulted in an accident or serious incident.
  - (d) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, reports referred to in point (c) shall:
    - (1) be made as soon as practicable, but in any case within 72 hours after the aerodrome operator has become aware of the event or condition to which the report relates, unless exceptional circumstances prevent that;
    - (2) be made in a form and manner established by the Competent Authority;
    - (3) contain all pertinent information about the condition known to the aerodrome operator.
  - (e) Notwithstanding Regulation (EU) No 376/2014 and its delegated and implementing acts, for reports required by point (c), the aerodrome operator shall submit a follow-up report providing details of actions that the aerodrome operator intends to take to prevent similar occurrences in the future. The follow-up report shall be submitted as soon as those actions have been identified and it shall:
    - (1) be sent to the relevant entities initially reported to in accordance with points (b) and (c);
    - (2) be made in a form and manner established by the Competent Authority.;
- (c) in point ADR.OR.D.005(b), point (11) is replaced by the following:
- ‘(11) a function to monitor compliance of the organisation with the relevant requirements and adequacy of the procedures; compliance monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions, as necessary.;
- (d) point ADR.OR.D.025 is replaced by the following:

**‘ADR.OR.D.025 Coordination with other organisations**

The aerodrome operator shall ensure that:

- (a) its management system addresses the coordination and interface with the safety procedures of other organisations operating or providing services at the aerodrome;

- (b) such organisations have safety procedures in place to comply with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, as well as with the aerodrome manual established and maintained in accordance with point ADR.OR.E.005 of this Annex.;
- (e) point ADR.OR.D.027 is replaced by the following:

**‘ADR.OR.D.027 Safety programmes and aerodrome safety committees**

- (a) As part of its management system, the aerodrome operator shall establish, implement and lead safety programmes to promote and enhance safety, including runway safety, and the exchange of safety-relevant information with all relevant organisations that operate or provide services at the aerodrome. The aerodrome operator shall review, at least on an annual basis, the effectiveness of its safety programmes.
- (b) As part of the safety programmes referred to in point (a), the aerodrome operator shall:
  - (1) establish, lead and be responsible for the functioning of the local runway safety team and other aerodrome safety committees;
  - (2) request all relevant organisations that operate or provide services at the aerodrome to participate in the local runway safety team and in other aerodrome safety committees through nominated representatives that have appropriate and suitable operational expertise, relevant to the subject of the local runway safety team or the aerodrome safety committee(s) respectively.
- (c) The aerodrome operator shall ensure that:
  - (1) the local runway safety team and the other aerodrome safety committees regularly convene meetings, the frequency of which shall be determined based [at least] on:
    - (i) the aerodrome traffic density;
    - (ii) the complexity of the aerodrome layout;
    - (iii) the type of operations;
    - (iv) the safety occurrences at the aerodrome and the potential risks identified from their analysis;
  - (2) proposals and actions of the local runway safety team and the other aerodrome safety committees are recorded in an action plan and followed up to ensure their implementation in a timely manner.
- (d) The local runway safety team and the other aerodrome safety committees shall:
  - (1) support the identification and multidisciplinary review of local safety issues, especially with regard to runway safety;
  - (2) propose possible mitigating measures and relevant action plans to be implemented by the organisations concerned to enhance safety;
  - (3) consider the need to develop regular local safety awareness campaigns and joint training programmes for the personnel of all relevant organisations.
- (e) The aerodrome operator shall establish and implement a procedure or procedures to ensure the implementation of points (a) to (d).;
- (f) in point ADR.OR.D.030, the following point (ab) is inserted:
 

‘(ab) The aerodrome operator shall 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.’;
- (g) in point ADR.OR.F.055, the following point (e) is added:
 

‘(e) The organisation responsible for the provision of AMS shall ensure that any occurrences are reported to the person who performs a function connected to the safety management of the aerodrome operator, in accordance with Article 4(6), point (e), of Regulation (EU) No 376/2014.’;
- (4) Annex IV is amended as follows:
  - (a) the following point ADR.OPS.B.011 is inserted:

**'ADR.OPS.B.011 Removal of disabled aircraft**

- (a) The aerodrome operator shall establish a plan for the removal of an aircraft disabled on, or adjacent to, the movement area, and designate an aerodrome coordinator to implement the plan.
- (b) The disabled aircraft removal plan shall include the following:
  - (1) the contact details of the aerodrome coordinator of operations for the removal of an aircraft disabled on or adjacent to the movement area;
  - (2) responsibilities, actions and lines of communication for each organisation involved;
  - (3) a list of equipment and a list of personnel at, or in the vicinity of, the aerodrome which are available for such purpose;
  - (4) any arrangements for the rapid receipt of aircraft recovery equipment kits available from other aerodromes, as applicable.;
- (b) point ADR.OPS.B.070 is replaced by the following:

**'ADR.OPS.B.070 Aerodrome works safety**

- (a) The aerodrome operator shall establish and implement a process for managing the aerodrome's operational safety during works on the movement area.
- (b) The process shall establish and document the responsibilities as regards:
  - (1) the authorisation to perform the works;
  - (2) the implementation of any proposed change to operational facilities;
  - (3) the date and time when operations in the facilities will be limited or discontinued;
  - (4) the methods by which such changes will be promulgated;
  - (5) the oversight and control of the work in progress;
  - (6) the compliance with all relevant movement area safety rules.
- (c) The process for managing the aerodrome's operational safety during works shall contain the following elements:
  - (1) a works' planning procedure;
  - (2) a procedure for the safety assessment of the planned changes to the aerodrome's operations or systems;
  - (3) a works' authorisation procedure;
  - (4) a procedure for the promulgation of information related to the works;
  - (5) a procedure for worksite establishment and return to operations;
  - (6) a procedure for the monitoring, oversight and control of the works.
- (d) Where reduced runway length operations are required due to works, the aerodrome operator shall develop and implement a procedure for such operations.;
- (c) the following point ADR.OPS.B.071 is inserted:

**'ADR.OPS.B.071 Closed runways and taxiways, or parts thereof**

- (a) The aerodrome operator shall ensure that closed markings are displayed on:
  - (1) a runway or a taxiway, or a portion thereof, which is permanently closed to use by all aircraft;
  - (2) a temporarily closed runway or taxiway, or a portion thereof, except that such markings may be omitted when the closure is of a short duration and adequate warning is provided by air traffic services.
- (b) By way of derogation from point (a), a closed marking need not be displayed on a permanently closed taxiway, or parts thereof, if entrance to the closed taxiway, or parts thereof, is marked and lit with unserviceability lights and markers.
- (c) The aerodrome operator shall ensure that when a runway or a taxiway, or a portion thereof, is permanently closed, all runway and taxiway markings are physically removed.

- (d) The aerodrome operator shall ensure that lighting on a closed runway or taxiway, or a portion thereof, is not operated, except as required for maintenance purposes.
- (e) The aerodrome operator shall ensure that in addition to closed markings, when a runway, a taxiway, or a portion thereof, is closed and is intercepted by a usable runway or taxiway which is used at night, unserviceability lights shall be placed across the entrance to the closed area.’;
- (d) point ADR.OPS.B.090 is replaced by the following:

**‘ADR.OPS.B.090 Use of the aerodrome by aircraft exceeding the certified design characteristics of the aerodrome**

- (a) In order to allow the use of the aerodrome or parts thereof by aircraft exceeding the code letter or the outer main gear wheel span, or both, of the certified design characteristics of the aerodrome, the aerodrome operator shall apply for the prior approval of the Competent Authority; such approval is not required for aircraft emergency situations.
- (b) In the request for the prior approval of the Competent Authority for aircraft referred to in point (a), the aerodrome operator shall include an assessment of the impact of the following aircraft characteristics on the aerodrome infrastructure, its facilities, equipment, and operation, and vice versa:
  - (1) wingspan;
  - (2) outer main gear wheel span;
  - (3) wheel base;
  - (4) fuselage length;
  - (5) fuselage width;
  - (6) fuselage height;
  - (7) nose geometry;
  - (8) tail height;
  - (9) wing tip vertical clearance;
  - (10) cockpit view;
  - (11) distance from the pilot’s eye position to the nose landing gear;
  - (12) main landing gear layout;
  - (13) gear steering system;
  - (14) maximum aircraft mass;
  - (15) landing gear geometry, tyre pressure and aircraft classification values;
  - (16) engine characteristics;
  - (17) maximum passenger and fuel carrying capacity;
  - (18) flight performance.’;
- (e) the following points ADR.OPS.B.095 and ADR.OPS.B.100 are added:

**‘ADR.OPS.B.095 Hot spots**

- (a) Whenever necessary, the aerodrome operator shall designate a location or several locations on the movement area of the aerodrome as “hot spot(s)”, as part of the safety programme it has established in accordance with ADR.OR.D.027.
- (b) Once a hot spot has been identified, the aerodrome operator shall implement measures to remove the hazard, and if this is not immediately possible, provide the relevant aeronautical data to the responsible aeronautical information services (AIS) unit for publication in the aeronautical information publication (AIP).

**ADR.OPS.B.100 Suspension of runway operations and runway closure**

- (a) The aerodrome operator shall establish and implement, in cooperation with air traffic services, procedures for the temporary suspension of runway operations or planned runway closure.
- (b) The procedures shall contain the following:

- (1) roles and responsibilities of the aerodrome operator, the air traffic services and other organisations involved in aerodrome operations, as appropriate to the situation;
  - (2) access of personnel to the closed runway;
  - (3) safety measures in accordance with points ADR.OPS.B.070 and ADR.OPS.B.071;
  - (4) publication of a NOTAM in accordance with point ADR.OPS.A.057, except when the suspension of runway operations is expected to be of short duration;
  - (5) actions before recommencement of runway operations.’;
- (f) the following point ADR.OPS.C.011 is inserted:

**‘ADR.OPS.C.011 Overload operations**

Whenever the aerodrome is expected to be used regularly by aircraft that may damage the pavements, the aerodrome operator shall establish criteria for overload operations.’

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