

DIARY DATES

**EBACE - EUROPEAN BUSINESS AVIATION
CONVENTION & EXHIBITION**

EDUCATION SESSIONS

25 May 2016

Geneva, Switzerland

Laura Pierallini, speaker

**LUISS GUIDO CARLI UNIVERSITY
THIRD INTERNATIONAL AVIATION LAW
CONFERENCE ON "THE DYNAMISM OF THE
AVIATION INDUSTRY"**

16 June 2016

Rome, Italy

Studio Pierallini, co-organizer

Laura Pierallini, moderator

**13TH BEAUMONT INTERNATIONAL
CONFERENCE**

22-23 June 2016

London, United Kingdom

Laura Pierallini, speaker

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**THE ENAC ROAD MAP TO IMPLEMENT
THE NEW EUROPEAN RULES ON
AIRPORTS**

By Francesco Grasseti

In the past few years the EU legal framework regarding airports has been highly revised. The "Basic Regulation" (EC) No. 216/2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency was amended by the Regulation (EC) 1108/2009, enlarging the EASA competences to include also aerodromes, air traffic management and air navigation services within the EU safety system. Subsequently the Regulation (UE) No. 139/2014 required the Member States, the CAAs, the airports and their management companies to ensure full compliance with the new rules by 31 December 2017. In parallel the EASA set the acceptable means of compliance (AMC), certification specifications (CS) and guidance material (GM) in the context of airport facilities. The Italian implementation process is supervised by the CAA (ENAC), which developed a road map to allow the Italian airport system to comply with the new EU rules by the prescribed term

of 31 December 2017. The road map identifies four macro-areas of intervention: regulatory and management; certifications and conversion of previous certifications; communication; training-education. The airports concerned by the required coordination actions are 38 throughout the Italian territory. ENAC is also working at different levels to ensure guidance and support in favour of the stakeholders interested by the implementation process. Along with a broad commitment for the organization of conferences and educational sessions on the subject matter, in particular ENAC:

- (i) added a new section on its website entirely focused on the content, purpose and objectives of Regulation (UE) No. 139/2014;
- (ii) prepared draft framework agreements between each airport managing company and the infrastructures' safety and security entities (i.e. ENAV - the air traffic control service provider; the Italian air force; the department of firefighters, public rescue and civil defense) to improve the coordination of surveillance and prevention services;
- (iii) issued the guidelines 001/2016 APT and 002/2016 APT to provide instructions and

practical information for the airport managing companies on how to handle the alternative means of compliance (AltMoC). AltMoC are used to prove the achievement of the targets identified by the Regulation (UE) No. 139/2014, alternatively to the acceptable means of compliance (AMC) published by the EASA. AltMoC are also a valid instrument to manage and evaluate the actual deviations from the certification specifications (CS) set forth by the EASA Decision 2015/001/R; (iv) will publish a regulation to elaborate risk management plans for the surroundings and areas located nearby airports in respect of prospective dangers and obstacles to the air operations.

EXPECTED REVISION OF THE ITALIAN BANKRUPTCY LAW

By Gianluigi Ascenzi

The Italian Parliament is in the process to approve a delegation law to the Government for the implementation of an important and largely expected revision of the Royal Decree no. 267/1942 (so called "Bankruptcy Law"). The revised Bankruptcy Law will likely have a positive impact on the repossession issues and other actions brought against Italian insolvent lessees and borrowers. The basic principles and guidelines of the new legislation should be the following: rationalization and simplification of the insolvency procedures; enhanced measures to discover financial crisis in advance and support the continuation of the company business; new rules on secured and preferred creditors; increased sanctions for creditors affecting the company insolvency by unfair or unlawful behaviours (pre-crisis activities); specific provisions on the insolvency of company groups.

THE LIMITATION REGIME TO GROUND HANDLERS AT ROME FIUMICINO AIRPORT

By Lorenzo Sperati

By way of background, the ENAC resolution no. 27 of 13 October 2014 limited the number of ground handlers admitted at Rome Fiumicino Airport for the supply of runway operations and baggage, cargo and mail services. In parallel ENAC has also launched a public tender to select the admitted operators, which has ended with the award of the handling services to Aviapartner Handling S.p.A., Aviation Services S.p.A. and Alitalia – Società Aerea Italiana S.p.A.. The ENAC resolution of 2014 and the subsequent

tender awards have been challenged before the Italian Administrative Courts (namely TAR, "Tribunale Amministrativo Regionale") by other interested handlers. On 15 April 2016 - at the outcome of the preliminary phase - TAR rejected the precautionary requests of suspension of the ENAC's decisions, considering these legitimate and therefore confirming the awards to the mentioned companies.

ENAC PUBLISHES AIR TRAFFIC DATA FOR 2015

By Marco Marchegiani

On 30 March 2016 ENAC published the official data on the 2015 air traffic concerning the national airports. With more than 156 million passengers in transit and a traffic increase of 4,5% compared to 2014, the positive trend of the industry confirms a fair recovery which make the stakeholders confident for the months to come. The busiest national airports is still Rome Fiumicino, with a traffic share over 25% of the total and 40.2 million passengers carried, then followed by Milan Malpensa (18.4 million and 12% of the market share), Bergamo Orio al Serio (10.3 million - 6.6%), Milan Linate (9.6 million - 6.1%) and Venice Marco Polo (8.6 million - 5.5%). Likewise the freight air transport has grown of 4.3% from 2014, counting 941.107 tons carried (on aggregate of cargo and mail), mainly through the key airports of Rome Fiumicino and Milan Malpensa.

AVIATION CONFERENCE IN ROME: "THE DYNAMISM OF THE AVIATION INDUSTRY; THE NEED OF INNOVATIVE POLICIES AND RULES"

On 16 June 2016 the third aviation conference organized by the University LUISS Guido Carli and Studio Pierallini will take place in Rome. An international panel of experts will come together to exchange insights and prospective solutions regarding the need of innovative policies and rules. Various issues will be explored throughout the conference, including the requisite of a free or fair competition in a global aviation market, state aids and airport charges in the European Union, recent trends in relation to consumers' protection, how to make the evolving technology on drones consistent with the regulatory framework. The agenda will be interrupted by a light Italian lunch served on the University's lovely patio.