

OPERATIONS ADVISORY NOTICE (OAN)		 Transport Malta Civil Aviation Directorate Flight Operations Inspectorate Transport Malta Centre Triq Pantar Lija LJA 2021 Malta
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Subject: Aircraft Surveillance for the single European sky		

1.0 INTRODUCTION

IMPLEMENTING REGULATION (EU) [2020/587](#) of 29 April 2020 amending Implementing Regulation (EU) No 1206/2011 laying down requirements on aircraft identification for surveillance for the single European sky and Implementing Regulation (EU) No 1207/2011 laying down requirements for the performance and the interoperability of surveillance for the single European sky refers.

Regulation EU 2020/587 postponed the applicability of the ADSB-OUT mandate originally planned for 7 June 2020 to 7 December 2020 as a result of Covid-19 virus pandemic.

2.0 APPLICABILITY

Article 2(2) of EU 1207/2011 shall apply to all flights operating as general air traffic in accordance with instrument flight rules within the airspace provided for in Article 1(3) of Regulation (EC) No 551/2004 of the European Parliament and of the Council (1) with the exception of Articles 7(3) and 7(4) which shall apply to all flights operating as general air traffic.

Annex II of Regulation (EU) 1207/2011 details the secondary surveillance radar transponder capabilities. This Annex or parts thereof are applicable for the below aircraft with noted exceptions.

By **7 December 2020** operators shall ensure that:

(a) aircraft operating flights referred to in Article 2(2) are equipped with serviceable secondary surveillance radar transponders that comply with the following conditions:

- (i) they have the capabilities set out in Part A of Annex II;
- (ii) they have the continuity sufficient to avoid presenting an operational risk;

(b) aircraft with a maximum certified take-off mass **exceeding** 5 700 kg **or** having a maximum cruising true airspeed capability greater than 250 knots, operating flights referred to in Article 2(2), with an individual certificate of airworthiness first issued **on or after** 7 June 1995, are equipped with serviceable secondary surveillance radar transponders that comply with the following conditions:

- (i) they have the capabilities set out in Parts A and B of Annex II;
- (ii) they have the continuity sufficient to avoid presenting an operational risk;

(c) fixed wing aircraft with a maximum certified take-off mass **exceeding** 5 700 kg **or** having a maximum cruising true airspeed capability greater than 250 knots, operating flights referred to in Article 2(2), with an individual certificate of airworthiness first issued **on or after** 7 June 1995, are equipped with serviceable secondary surveillance radar transponders that comply with the following conditions:

- (i) they have the capabilities set out in Parts **A, B and C** of Annex II;
- (ii) they have the continuity sufficient to avoid presenting an operational risk.

Points (b) and (c) of the first subparagraph **shall not apply** to aircraft that operate within the Single European Sky airspace and that belong to one of the following categories:

- (i) they are being flown to undergo maintenance;
- (ii) they are being flown for export;
- (iii) their operations will be ceased by 31 October 2025.

2.0.1 Exceptions

Operators of aircraft with a first certificate of airworthiness **issued before** 7 December 2020 shall comply by **7 June 2023** with the requirements set out in points (b) and (c) of the first subparagraph, subject to the following conditions:

- (i) they have established **before** 7 December 2020 a retrofit programme demonstrating compliance with points (b) and (c) of the first subparagraph;
- (ii) those aircraft have **not benefitted** from any Union funding granted to bring such aircraft in compliance with the requirements set out in points (b) and (c) of the first subparagraph.

3.0 COMPLIANCE

Operators requiring to make use may contact the airworthiness inspector and check for applicable IAN for further information.

4.0 UNSERVICEABILITIES

For aircraft where the capability of the transponders to comply with the requirements of points (b) and (c) of the first subparagraph is temporarily inoperative, operators shall be entitled to operate that aircraft in the Single European Sky airspace for a maximum of **3 consecutive days**.

Operators are required to verify the content and update the respective MEL's in line with the above requirement.

5.0 FLIGHT PLAN ENTRIES

Operators of non-equipped State aircraft communicated as per Article 8(3) and operators of aircraft not equipped in accordance with Article 5(5) operating within the Single European Sky airspace, shall include the indicators SUR/EUADSBX or SUR/EUEHSX or SUR/EUELSX or a combination thereof, in Item 18 of the flight plan.'.

Flight Operations Inspectorate