



Brussels, **XXX**  
[...] (2024) **XXX** draft

**COMMISSION IMPLEMENTING REGULATION (EU) .../...**

**of **XXX****

**amending Implementing Regulation (EU) 2015/1998 as regards certain detailed measures for the implementation of the common basic standards on aviation security**

(Text with EEA relevance)

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002<sup>1</sup>, and in particular Article 4(3) thereof,

Whereas:

- (1) Experience gained with the implementation of Commission Implementing Regulation (EU) 2015/1998<sup>2</sup> has shown the need for minor amendments to the implementing measures of certain common basic standards on aviation security.
- (2) The surface transport between the premises of regulated agents, known consignors and air carriers, of air cargo and mail to which the required security controls have been applied, is in many cases outsourced by such entities to external hauliers, operating on their behalf. Certain conditions and rules allowing the use of hauliers, as well as certain obligations for such hauliers are already set out in the Annex to Implementing Regulation (EU) 2015/1998.
- (3) There is a need for more clarity in terms of visibility, accountability and oversight by the appropriate authorities of hauliers and the operations they perform to maintain the integrity of the air cargo and mail secure supply chain in the Union. For that purpose, requirements for approval and oversight of hauliers should be introduced into the Annex to Implementing Regulation (EU) 2015/1998.
- (4) The requirements for approved hauliers should not impose unnecessary administrative and operational burden on both entities and appropriate authorities. The provisions setting out those requirements should also take into account the experience of the Member States that have established an approval and oversight scheme for hauliers operating at national level.
- (5) In order to allow for a gradual introduction of the regime of approved hauliers in the Union, the current requirements to which hauliers are subject to should continue to apply until 31 December 2026. That would facilitate the preparation for mandatory implementation of the approved hauliers regime by both appropriate authorities and the relevant entities subjected to them.

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<sup>1</sup> OJ L 97, 9.4.2008, p. 72, ELI: <http://data.europa.eu/eli/reg/2008/300/oj>

<sup>2</sup> Commission Implementing Regulation (EU) 2015/1998 of 5 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security (OJ L 299, 14.11.2015, p. 1, ELI: [http://data.europa.eu/eli/reg\\_impl/2015/1998/oj](http://data.europa.eu/eli/reg_impl/2015/1998/oj)).

- (6) Attachments 3-B, 4-B, 5-A and 6-F to the Annex to Implementing Regulation (EU) 2015/1998 list the third countries recognised as applying security standards equivalent to the common basic standards on aviation security.
- (7) The Commission has verified that the airport of Svalbard (unincorporated area of the Kingdom of Norway), meets the criteria set out in Part E of the Annex to Commission Regulation (EC) No 272/2009<sup>3</sup>, with regard to screening of passengers and cabin baggage, screening of hold baggage, cargo and mail and aircraft security.
- (8) It is therefore necessary to add Svalbard Airport to the lists in Attachments 3-B, 4-B, 5-A and 6-F to the Annex to Implementing Regulation (EU) 2015/1998.
- (9) Commission Implementing Regulation (EU) 2023/566<sup>4</sup> introduced the requirement for explosive trace detection (ETD) equipment deployed from 1 September 2014 to also detect chemicals as of 1 July 2024. Experience in the ongoing implementation of the preparatory steps shows that the date of 1 July 2024 needs to be postponed by 15 months, in order to ensure compliance with that requirement and allowing a smooth upgrade of the deployed equipment by all users, without posing an undue risk to aviation security.
- (10) Furthermore, certain detailed aviation security measures should be clarified, harmonised or simplified in order to improve legal clarity, standardise the common interpretation of the relevant provisions and further ensure the best implementation of the common basic standards on aviation security.
- (11) Implementing Regulation (EU) 2015/1998 should therefore be amended accordingly.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19 of Regulation (EC) No 300/2008,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The Annex to Implementing Regulation (EU) 2015/1998 is amended in accordance with the Annex to this Regulation.

#### *Article 2*

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

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

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<sup>3</sup> Commission Regulation (EC) No 272/2009 of 2 April 2009 supplementing the common basic standards on civil aviation security laid down in the Annex to Regulation (EC) No 300/2008 of the European Parliament and of the Council (OJ L 91, 3.4.2009, p. 7, ELI: <http://data.europa.eu/eli/reg/2009/272/oj>).

<sup>4</sup> Commission Implementing Regulation (EU) 2023/566 of 10 March 2023 amending Implementing Regulation (EU) 2015/1998 as regards certain detailed measures for the implementation of the common basic standards on aviation security (OJ L 74, 13.3.2023, p. 47, ELI: [http://data.europa.eu/eli/reg\\_impl/2023/566/oj](http://data.europa.eu/eli/reg_impl/2023/566/oj)).

Done at Brussels,

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