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From:	Romanian Senate
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To:	General Secretariat of the Council

Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a Union certification system for aviation security screening equipment. • Opinion on the application of the Principles of Subsidiarity and Proportionality¹
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Doc. 12090/16 AVIATION 179 MI 565 COSI 150 - COM (2016) 491 final

Delegations will find attached a copy of the above-mentioned opinion.

¹ Translation(s) of the opinion may be available on the Interparliamentary EU Information Exchange website (IPEX) at the following address: <http://www.ipex.eu/IPEXL-WEB/dossier/document/COM20160491.do>



Romanian Parliament
Senate

Bucharest, November, 1, 2016

OPINION

Regarding the *Proposal for a Regulation of the European Parliament and of the Council establishing a Union certification system for aviation security screening equipment*

COM (2016) 491 final

The Romanian Senate examined the Proposal for a of the European Parliament and of the Council establishing a Union certification system for aviation security screening equipment – COM (2016) 491 final – according to the provisions of the Treaty of Lisbon (Protocol no. 2).

Taking into account the report of 690/ October, 21, 2016, 2016 of our permanent Committee on European Affairs, the Plenum of the Senate, during its session of October, 24, 2016, decided as follows:

- 1. This Regulation does not violates principles of subsidiarity and proportionality.**
- 2. Within the establishing a Union certification system for aviation security screening equipment the following are noted:**
 - a) Establishing a national authority to run satisfactorily the EU type-approval procedure by performing the technical service would have a negative impact at the administrative/ organizational and financial control over some Member States that currently do not have such authority.
 - b) Member States should have the option to establish a national approval authority to appoint a technical service notified to the Commission under Art. 21.

The following are considered necessary and mandatory:

Change the first paragraph of Art. 30 or adding a new one, by introducing a provision whereby all screening equipment evaluated by ECAC, based PCE and certified or approved by the Member States, in accordance with national rules, purchased and installed in airports before expiry of the transitional period can continue to be used until the expiry of the operation and not only until the expiry of the transitional period for 3 years.

3. It is strongly recommended to pursue:

- a) The draft Regulation should provide an explicit designation of technical service and not a default – Art. 8 (2) and Art. 21.
- b) It is necessary to add a provision whereby the obligation to establish homologate equipment manufacturers to control security and in terms of radiation protection standards.

p. Speaker of the Senate

Ioan CHELARU


