

**Question for written answer E-014799/2015
to the Commission**
Rule 130
Daniela Aiuto (EFDD)

Subject: Potential conflict between the Statute of the Italian Civil Aviation Authority (ENAC) and European law

Article 3(2) of Commission Regulation (EU) No 139/2014 states that: 'The Competent Authority shall be independent from aerodrome operators and providers of apron management services. This independence shall be achieved through separation [...] between the Competent Authority and these aerodrome operators and providers of apron management services.'

Article 2(2) of ENAC's statute, which was adopted on 19 January 2015, lays down that the Authority shall act as the sole technical regulatory, certification and supervisory authority in the civil aviation sector, and in carrying out its duties shall, in particular:

- a) participate, on appointment by the Ministry of Infrastructure and Transport, on the supervisory boards of aerodrome operating companies and of companies in which they participate/control;
- b) participate, where applicable, in operating activities at airports of prime tourism, social or economic-strategic interest;
- c) identify and initiate the procedures required to obtain national and/or EU funding for activities in this sector, with particular reference to funding for the construction of airport infrastructure.

In the light of the above, can the Commission state:

1. whether it does not consider the above-mentioned paragraphs of the ENAC Statute to conflict with Regulation (EU) No 139/2014;
2. what action it will take if this proves to be the case?