



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

All comments should be sent (preferably in WORD) to: ERconsultation.OPS-LIC@jaa.nl

1a. COMMENT TO DOCUMENT:

- Consultation Document
 Essential Requirements for Pilot Proficiency
 Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 1

The Agency is interested in knowing the opinion of stakeholders on the best means to set the safety objectives for the regulation of air operations and flight crew licensing: the transposition by reference of related ICAO Standards or the establishment of dedicated essential requirements at Community level.

2. PROPOSED TEXT/ COMMENT:

For EHPU the transposition by reference of related ICAO Standards is no solution nor would EHPU prefer the establishment of dedicated essential requirements at Community level for hang gliding and paragliding (hg & pg).

3. JUSTIFICATION:

There do not exist any ICAO Standards for (hg & pg) therefore no transposition is possible. EHPU also opposes to the establishment of dedicated essential requirements at Community level in relation to hg & pg. National authorities shall remain responsible for sports aviation, with a possibility to delegate the execution of the authority to the NAC or to a National Air Sports federation. The NCAAs and the National Air Sport Federations have the necessary expertise to rule and execute in accordance with very high level directives limited to the definition of target levels of safety.

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
 Essential Requirements for Pilot Proficiency
 Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 2

The Agency is interested in knowing whether the attached essential requirements actually meet the criteria developed here above and constitute a good basis for the regulation of air operations and pilot proficiency. The Agency also welcomes any suggestion to improve the essential requirements as described in Annex 1 and 2 by using the forms provided, including proposals to address flight engineers.

2. PROPOSED TEXT/ COMMENT:

The attached essential requirements do not constitute a good basis for the regulation of air operations and pilot proficiency for hg & pg.

3. JUSTIFICATION:

Most of the parts of the essential requirements for the regulation of air operations and pilot proficiency have no relevance to hang gliders & paragliders as defined in Regulation (EC) No 1592/2002, Annex II, paragraph (h).

COMMENTS ON ANNEX 1 :

No comment

COMMENTS ON ANNEX 2:

No comment

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. **COMMENT TO DOCUMENT:**

- Consultation Document
 Essential Requirements for Pilot Proficiency
 Essential Requirements Air Operations

1b. **AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:**

Question 3

Do stakeholders agree that third country aircraft used for non-commercial activities in the Community by third country operators should be subject to Community legislation?

2. **PROPOSED TEXT/ COMMENT:**

As far as hang gliders & paragliders are concerned, third country aircraft used for non commercial activities in the Community by third country operators should **not** be subject to Community legislation.

3. **JUSTIFICATION:**

FAI issues through the NACs and the National Air Sport Federations the International Pilot Proficiency Identification Card (IPPI). The card provides a standard reference by which all national rating programs may be compared. When travelling abroad this card together with the national rating card will identify the pilot skills. The IPPI-Card is recognised in almost all countries of the world.

4. **PERSON/ORGANISATION PROVIDING THE COMMENT:**

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. **SIGNATURE:**

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
 Essential Requirements for Pilot Proficiency
 Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 4

- a) Do stakeholders agree that all categories of pilots should be subject to Community legislation?
b) If not, which categories should be excluded?

2. PROPOSED TEXT/ COMMENT:

- a) EHPU does absolutely not agree.
b) HG & PG has to be excluded

3. JUSTIFICATION:

EHPU does not want to have to comply with pan-European requirements as each country has different requirements for very good reasons, e.g. different terrain and flying conditions require different skills. In addition we have the IPPI card as mentioned above that provides a standard reference by which all national rating programs may be compared. When travelling abroad this card together with the national rating card will identify the pilot skills.

Annex II paragraph (h) exemptions applied in previous Regulation (EC) No 1592/2002 should be applied equally to air operations and flight crew licensing legislation proposals.

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
 Essential Requirements for Pilot Proficiency
 Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 5

- a) Do stakeholders agree that all non-commercial operations should be subject to Community legislation?
b) If not, should:
- corporate aviation and/ or
- recreational aviation
be excluded?
c) Would the answer be dependent on the type of aircraft? If so what should be the threshold?

2. PROPOSED TEXT/ COMMENT:

- a) For its part EHPU does not agree.
b) In relation to hg & pg corporate and / or recreational aviation should be excluded.
c) The threshold should be annex II of Regulation (EC) No 1592/2002

3. JUSTIFICATION:

Including HG & PG in Community legislation would not result in a significant improvement of safety but would lead to the introduction of new and unnecessary requirements, restrictions and expenses which would suppress the development of HG & PG without offering any advantages.

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
- Essential Requirements for Pilot Proficiency
- Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 6

- a) Do stakeholders agree that fractional ownership operations should be subject to Community legislation?
- b) Do stakeholders agree that unmanned air vehicles operations should be subject to Community legislation?

2. PROPOSED TEXT/ COMMENT:

- a) Fractional ownership of aircraft used in hg & pg operations should not be subject to Community legislation.
- b) Yes

3. JUSTIFICATION:

- a) The ownership characteristics do not affect flight safety
- b) Yes, in so far as UAV now being developed (as distinct from model aircraft used for leisure purposes, generally in an operating environment local to the ground-based control activity) are a potential collision hazard to other aircraft including hang gliders and paragliders because they have no VFR capability.

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
- Essential Requirements for Pilot Proficiency
- Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 7

Do stakeholders agree that:

- flight dispatchers and/ or
 - flight engineers
- should be subject to Community legislation?

2. PROPOSED TEXT/ COMMENT:

No opinion.

3. JUSTIFICATION:

Not relevant to HG & PG, assuming the term „flight despatch“ is restricted to / applied only to conventional commercial air transport operations and the term „flight engineer“ is restricted to on board engineer.

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zürich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
 Essential Requirements for Pilot Proficiency
 Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 8

- a) Do stakeholders agree that powers should be given to the Commission to adopt implementing rules for the regulation of the safety of third country aircraft flying in the territory covered by the EC Treaty?
- b) Do stakeholders agree that the Agency should be given powers to verify that third country aircraft that do not hold a standard ICAO certificate of airworthiness do however meet a sufficient level of safety to fly in the territory covered by the EC Treaty?

2. PROPOSED TEXT/ COMMENT:

- a) EHPU does not agree that powers should be given to the Commission to adopt implementing rules for the regulation of the safety of third country hang gliders & paragliders, as defined in Regulation (EC) No 1592/2002, Annex II, paragraph (h), flying in territory covered by the EC Treaty.
- b) EHPU does not agree that the Agency should be given powers to verify that third country hang gliders & paragliders, as defined in Regulation (EC) No 1592/2002, Annex II, paragraph (h), meet a sufficient level of safety to fly in the territory covered by the EC Treaty.
EHPU has no view on the regulation of other third country aircraft.

3. JUSTIFICATION:

Given, that HG & PG is excluded from the EASA airworthiness regulations by virtue of their inclusion in Regulation (EC) No 1592/2002, Annex II, paragraph (h), it would seem logical for their safety and airworthiness to be left at the national level.

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
 Essential Requirements for Pilot Proficiency
 Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 9

- a) Do stakeholders agree that powers should be given to the Commission to adopt implementing rules for the regulation of the operation of third country aircraft flying in the territory covered by the EC Treaty?
- b) Do stakeholders agree that the Agency should be given powers to issue appropriate approvals to third country air transport operators?

2. PROPOSED TEXT/ COMMENT:

a) EHPU does not agree that powers should be given to the Commission to adopt implementing rules for the regulation of the safety of third country hang gliders & paragliders, as defined in Regulation (EC) No 1592/2002, Annex II, paragraph (h), flying in territory covered by the EC Treaty.

b) No opinion.

3. JUSTIFICATION:

a) As answered to question 3, FAI issues through the NACs and the National Air Sport Federations the International Pilot Proficiency Identification Card (IPPI). The card provides a standard reference by which all national rating programs may be compared. When travelling abroad this card together with the national rating card will identify the pilot skills. The IPPI-Card is recognised in almost all countries of the world. Given, that HG & PG is excluded from the EASA airworthiness regulations by virtue of their inclusion in Regulation (EC) No 1592/2002, Annex II, paragraph (h), it would seem logical for their safety and airworthiness to be left at the national level

b) Not relevant to HG & PG

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
- Essential Requirements for Pilot Proficiency
- Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 10

- a) Do stakeholders agree that pilots of corporate or heavy motor-powered aircraft should hold a license? If so, what should be the definition of such heavy motor-powered aircraft?
- b) Do stakeholders agree that powers should be given to the Commission to adopt implementing rules for the issuing of such licenses?

2. PROPOSED TEXT/ COMMENT:

- a) No opinion providing ,heavy motor aircraft' refers to aircraft with MTOM > 5700 Kg
- b) No opinion providing ,heavy motor aircraft' refers to aircraft with MTOM > 5700 Kg

3. JUSTIFICATION:

- a) Not relevant to HG & PG
- b) Not relevant to HG & PG

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
 Essential Requirements for Pilot Proficiency
 Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 11

- a) Do stakeholders agree that pilots of light recreational or sport aircraft should not be required to hold an official license? If so, what should be the definition of light recreational or sport aircraft?
- b) Do stakeholders agree that pilots of recreational or sport aircraft should show compliance with the essential requirements to qualified bodies?
- c) Do stakeholders agree that powers should be given to the Commission to adopt implementing rules for the accreditation of such qualified bodies by national aviation authorities?

2. PROPOSED TEXT/ COMMENT:

- a) Yes. Exemptions according to Regulation (EC) No 1592/2002, Annex II
b) No, as it comes to hg & pg
c) No, as it comes to hg & pg

3. JUSTIFICATION:

- a) EHPU denies the necessity of issuing an official license. A showing of compliance to a third party such as a federation should continue to be the strongly advised and encouraged requirement.
- b) and c) HG & PG has operated satisfactorily for many years in several countries under self regulation by National Bodies. There are currently about 100'000 hg/pg pilots in Europe registered with self regulating national bodies who accept mutual recognition of pilot proficiency through the IPPI card system.

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
- Essential Requirements for Pilot Proficiency
- Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 12

- a) Do stakeholders agree that powers should be given to the Commission to adopt implementing rules on physical and medical fitness of pilots of corporate or heavy motor powered aircraft?
- b) Do stakeholders agree that there is no need for implementing rules on physical and medical fitness of pilots of light recreational or sport aircraft?
- c) Do stakeholders agree that powers should be given to the Commission to adopt implementing rules for the accreditation of aero medical examiners by national aviation authorities?

2. PROPOSED TEXT/ COMMENT:

- a) Not relevant to HG & PG
- b) Yes, as far as HP & PG are concerned
- c) No, as far as HG & PG are concerned

3. JUSTIFICATION:

- a) Not relevant to HG & PG
- b) EHPU does not see the need of some form of ensuring HG & PG pilots fitness to fly. We see no justification for the requirement of having an examination done by an aero medical specialist. The decision however should be left to the national bodies.
- c) Not relevant to hg & pg.

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
 Essential Requirements for Pilot Proficiency
 Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 13

- a) Do stakeholders agree that there should be implementing rules for the regulation of commercial operations other than air transport?
b) If not, do stakeholders consider more appropriate to apply the approach described here above to regulate these activities?
c) In such a case, do stakeholders agree that powers should be given to the Commission to adopt implementing rules for the accreditation of qualified entities by national aviation authorities?

2. PROPOSED TEXT/ COMMENT:

- a) No opinion.
b) No opinion.
c) No opinion.

3. JUSTIFICATION:

Not relevant to HG & PG

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
- Essential Requirements for Pilot Proficiency
- Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 14

- a) Do stakeholders agree that corporate aviation operations should be subject to the form of self-regulation described in paragraph 34?
- b) In such a case, do stakeholders agree that powers should be given to the Commission to adopt implementing rules for the accreditation of qualified entities by national aviation authorities?
- c) Do stakeholders agree that general aviation and recreational activities should be directly subject to the essential requirements without the need for implementing rules, nor certification? If so, what should be the definition of general aviation?

2. PROPOSED TEXT/ COMMENT:

- a) No opinion
- b) No opinion
- c) No

3. JUSTIFICATION:

EHPU believes that HG & PG already meets those of the essential requirements that are relevant to HG & PG, as defined in Regulation (EC) No 1592/2002, Annex II, Paragraph (h), there is no requirement for implementing rules or certification. The current situation in hang gliding & paragliding is considered as satisfactory and there would be no improvement in flight safety by introducing implementing rules for operations.

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004



Comment Form

Comment nr.....
(for EASA use only)

NPA 2/2004

1a. COMMENT TO DOCUMENT:

- Consultation Document
- Essential Requirements for Pilot Proficiency
- Essential Requirements Air Operations

1b. AFFECTED QUESTION NR, PARAGRAPH OR ARTICLE:

Question 15:

Question 15:

- a) Do stakeholders agree that cabin crew should hold a licence issued on the basis of common implementing rules adopted by the Commission?
- b) Do stakeholders agree that flight dispatchers should hold a licence issued on the basis of common implementing rules adopted by the Commission?

2. PROPOSED TEXT/ COMMENT:

- a) No opinion
- b) No opinion

3. JUSTIFICATION:

In HG & PG there exist neither cabin crews nor flight dispatchers.

4. PERSON/ORGANISATION PROVIDING THE COMMENT:

Name : European Hang Gliding & Paragliding Union
Address : c/o Schweizerischer Hängegleiter-Verband
Seefeldstrasse 224, 8008 Zurich
Country : Switzerland
Phone : ++41(0)1 3874680
Fax : ++41(0)1 3874689
E-mail : hanspeter.denzler@shv-fsvl.ch

5. SIGNATURE:

Date: 1st July 2004