

APRIL 2014

POSITIVE AND CONSTRUCTIVE DIALOGUE AT EUROPE AIR SPORTS ANNUAL GENERAL CONFERENCE

Delegates attending the EAS General Conference last weekend in Istanbul found a new and refreshing approach to discussions. The Conference mood was positive, with delegates and officials sharing similar opinions on many topics. The underlying philosophy of the purpose of regulation is shifting, with increasing recognition by everyone involved that an approach based on a measured level of risk can be more effective than rules for their own sake.



The Conference was attended by delegates from 14 European countries as well as five European air sport unions. Delegates were pleased to welcome Filip Cornelis, Head of Aviation Safety at DG MOVE at the European Commission and Jules Kneepkens, Rulemaking Director of EASA, as well as Jyrki Paaajanen, a policy officer in the Single European Sky Unit of DG MOVE and Susanne Schödel, the new Secretary General at the Fédération Aéronautique Internationale.

EAS delegates described projects where representatives from sport and recreational aviation have worked in harmony with EASA to reach solutions that are acceptable for all.

A good example is the Competence-based Instrument Rating, En-Route Instrument Rating and Cloud flying in sailplanes. The rules now published meet the needs of sporting and recreational pilots and the Acceptable Means of Compliance and Guidance Material will be published within the next few weeks. All three ratings will have a positive influence on flight safety and the outcome of the project is a big success for all who supported the creation of these ratings. A new EU regulation on Occurrence Reporting is another area where it is also expected that good relationships and joint working with the Commission will achieve a balanced and satisfactory final result.

There were of course complaints and discussions about areas where regulation continues to be too onerous. Pilots flying microlights, hang gliders and home-built or vintage aircraft still consider that it is better for them to stay outside EASA and to continue to operate under Annex II. There was also dissatisfaction about the complexity of converting from a Registered Training Facility to an Approved Training Organisation (ATO), especially for small operators, where one person may be responsible for many levels of the work.

Filip Cornelis listened carefully and responded to the discussions and has already followed up on some of the comments that were made, particularly on ATOs, where a revised and less complex structure may be available soon. He said that he would look into this and understands that it is important to give clarity soon on the intentions, to avoid ATOs going

Filip Cornelis: "it's never too late to adapt the approach and move to a more risk-based approach, looking at the safety case and also more performance-based regulation".

down the wrong track under pressure of the upcoming deadline.

Jules Kneepkens presented the current thinking at EASA, which is that the future needs to be based on

- Proportionate regulation
- A risk-based approach
- Redefinition of the acceptable level of risk
- Application of the risk hierarchy
- Awareness of the limits of the regulatory system to affect safety

There was a great deal of interest in a presentation by Hugh Browning from the British Gliding Association of the safe winch launching initiative. It was started in the UK nine years ago and is showing real measurable success, with a significant reduction in fatal or serious accidents. Hugh's message was that the air sports associations can deliver real safety initiatives that are not dependent on writing yet more rules. The presentation highlighted the importance of detailed analysis of accidents, identification of causal factors, the 80/20 rule of the 'big killers', and well-thought-out plans for addressing one particular type of accident. The guests from the Commission and EASA were impressed with this example of what one particular sport in one country has achieved. EAS was left with the distinct impression that this message will be taken on board in Brussels and Cologne.

Graham Lynn: "Safety is paramount in model flying – because we have the responsibility delegated to us, it makes us well aware of the need to take great care and fulfil our responsibilities."

The overview of the Conference could be summed up with a few simple statements:

- Well-intentioned legislation can lead to unintended consequences.
- National Aviation Authorities need to understand that 'recommended' does not mean 'mandatory' and that they should not convert recommendations into hard law, as this will not create a level playing field.
- The cost of solutions for the benefit of Commercial Air Transport should not fall on Sporting and Recreational Aviation.
- Greater safety can only be reached by understanding the problem, followed by analysis, training and education.

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