



APRIL 2019



*Carlos Trigo (President of the Portuguese Aero Club) welcoming delegates to the 2019 General Conference, with Diana King and Pierre Léonard in the background (photo René Heise)*

This issue is a bit longer than usual, to include the events of the General Conference and also the many recent developments in Europe.

Note - abbreviations and their explanations are shown in full and in green, so that you can more easily find the full meaning of the abbreviations.

**News in this issue:**

High-level meetings at AERO Friedrichshafen .....	1
Update on EASA Regulations for Unmanned Aircraft .....	2
Current state of affairs for the opt Out 600 kg MTOM.....	3
From the Programme Manager's desk .....	3
Europe Air Sports General Conference 2019 .....	4
EASA Survey .....	6
Rulemaking explained - Part 3 .....	6
Sign up for the newsletter! .....	7
Members news .....	8
New Board Member - Patrick Pauwels .....	8
Key contacts.....	8

**HIGH-LEVEL MEETINGS AT AERO FRIEDRICHSHAFEN – a report by Timo Schubert**

EAS has completed a round of fruitful meetings at AERO Friedrichshafen, the annual fair for General Aviation. Andrea Anesini, President of Europe Air Sports, visited the AERO on 11-12 April in order to attend various EASA workshops and conferences and to ensure top-level representation of the association at this key event. He was supported by Board members Rudi Schuegraf, Rieteke van Luijt, René Heise and Patrick Pauwels.

Following previous meetings with the European Commission's Directorate General for Mobility and Transport (DG MOVE) in Brussels, EAS much appreciated the opportunity to welcome Joachim Lücking (Head of Unit in Charge of Aviation Safety) and his team, at the German Aeroclub (DAeC) stand. Following a short introduction of all EAS representatives, a tour was organised in order to show Mr. Lücking some of the highlights of the exhibition. This included a selection of microlight and sailplane manufacturers, who were able to show-case their vibrant industry and strong safety culture. Following EAS's successful political campaign for the 600kg Opt-Out in Brussels, this underlined how manufacturers are already making use of this option. As Head of Unit, Joachim Lücking is a high-ranking EU official responsible for our sector. His visit to AERO is clearly a very positive political signal for the support of sporting and recreational aviation.



*Joachim Lücking with Andrea Anesini*

Following the meeting with Mr. Lücking, discussions continued at the EASA stand, with a particular focus on the EU's General Aviation Safety Strategy and the need for access to air space.

#### **UPDATE ON EASA REGULATIONS FOR UNMANNED AIRCRAFT – from David Phipps, Technical Officer for Unmanned Aircraft**

The European Aviation Safety Agency (EASA) regulations for Unmanned Aircraft (which include model aircraft) were voted through by the EASA Committee at the end of February. With a few minor amendments, they represent the culmination of a four-year process. The documents can be downloaded from the European Commission (EC) website [here](#).

The regulations are expected to come into effect at some point from late May onwards.

Through Europe Air Sports, the European Model Flying Union (EMFU) was able to provide direct (and positive) input into the rulemaking process well into January, including a two-hour WebEx with staff from the EC and EASA to discuss our last-minute proposals.

Remarkably, much of what we put forward to EASA/EC has been retained in some form, including provision for sailplanes (up to 10Kg) operated within the 'Open Category' to operate up to 120 metres above the height of launch (rather than the surface) for the benefit of slope soaring.

The most important element of the regulations for the model flying community is Article 16. As written, this allows model flying operations that are conducted within the framework of model aircraft Clubs or Associations to remain essentially under national regulation, rather than EASA rules. The mechanism for this is an Authorisation issued by the Competent Authority to allow model flying to take place either under relevant national rules, or in accordance with the model aircraft club or association's existing established procedures, organisational structure and management system.

The only requirement mandated by EASA for **ALL** operators of unmanned aircraft is registration. However, paragraph 4 of Article 16 states that Associations may register their members into the registration system on their behalf. This is what we've been fighting for from the outset.

The EASA regulations include a three-year transition period for model aircraft Clubs and Associations to implement them. However, it seems that many Member States are already rushing to implement new regulations and will not be honouring this transition period.

The EASA regulations are certainly not perfect, but thanks to the results of our collective efforts they are significantly better for the model flying community than where we started back in 2015. EASA has worked with us in an open and collaborative manner which has helped us reach such a reasonable outcome. We are now working with EASA to provide

some input into their Acceptable Means of Compliance/Guidance Material document which provides supporting information for the regulations.



*Model Sport Cub (photo: Dave Phipps)*

The biggest challenge now for the model flying community is the interpretation/adoption/implementation of the EASA regulations by the Governments and Regulators within individual Member States. For some, this is already proving to be a much more difficult challenge than negotiating with EASA.

## **CURRENT STATE OF AFFAIRS FOR THE OPT OUT 600 KG MTOM – Rieteke van Luijt**

### **MTOM - Maximum Take-off Mass**

“.... Member States may decide to regulate aeroplanes, helicopters and sailplanes up to 600 kg nationally by simple notification ....”

Germany, Czech Republic and France are the first to use the opt out. According to current information Finland, Sweden, Denmark, Norway, Poland, Slovakia, Spain, Lithuania and even the UK will opt out. Italy is expected to follow later.

The German Airworthiness standard **LTF-UL 2019 (Nfi 2-446-19 15 jan. 2019)** will be used in most countries.

**Germany** has made good progress with the Opt-Out. The CAA (LBA) published the new technical requirements for 3 axis-controlled UL's (Ultra-lights) and Gyros on 15 January 2019 and German LTF-ULH 2019 for UL-Helicopters was published on 28 February 2019.

In the **Czech Republic** the new rules were published in March. The Czechs coordinate with DULV (Deutscher Ultraleichtflugverband) and DAeC (Deutscher Aero Club) and try to be compatible with Germany as much as possible and also using the LTF-UL 2019 standard.

**France** has worked out a solution with the DGAC (Directorate General for Civil Aviation) for microlights to have up to 525 kg MTOM.

Europe Air Sports is now seeking a meeting with the European Civil Aviation Conference (ECAC). We hope to make our case for an ECAC Recommendation intended to facilitate simple cross border flying for aeroplanes up to 600 kg MTOM.

In separate news the FAI Microlight and Paramotor Commission, CIMA, has increased the limits for microlight competitions to 600 kg MTOM, according to Opt-out conditions.

## **FROM THE PROGRAMME MANAGER'S DESK - Nils Rostedt**

### **New EASA NPA Consultations**

During March-April 2019, EASA published four **NPA (Notice of Proposed Amendment)** consultations. Based on a quick analysis, one of them is relevant for Sports and General Aviation:

NPA 2019-05 Embodiment of **Safety Management System (SMS)** requirements into Part-145 and Part 21. Deadline for comments: 17/07/2019

### **New EASA Opinions**

Two EASA Opinions were published in February and are now on their way towards the Commission's eventual adoption and publication. One of them is interesting for us:

Opinion No 01/2019 (A) & (B): Easier access for GA pilots to **IFR (Instrument Flying Rules)** flying and Revision of the balloon and sailplane licensing requirements.

As already mentioned in the last newsletter, this Opinion is highly important for EAS members. Work is continuing to enable Easier access to IFR Flying to be taught also in DTOs (Declared Training Organisations).

### **New EASA Easy Access publications available from EASA Website**

EASA has published a number of new "Easy Access Rules" publications:

- Easy Access Rules for Continuing Airworthiness (826 pages)
- Sailplane Rule Book – Easy Access Rules (Sailplane Operations) (212 pages)
- Easy Access Rules for Air Operations (2123 pages)
- Easy Access Rules for Aircrew (as well as a separate FCL publication) (1735 pages)



The Easy Access publications are welcome up-to-date compilations of the latest Regulation texts, together with the relevant **Approved Means of Compliance (AMC)** and/or **Guidance Material (GM)** for each provision in the regulation. However, the problem remains that a typical pilot or owner of a single engined aircraft still has to search 4684 pages in order to find the information he/she needs, while only perhaps 500 of those pages are applicable to sports and recreational flying. Time for a reform along the lines of what's been done for Sailplanes and Balloons?

Finally, I took part in the 3<sup>rd</sup> **SESAR\* JU (Joint Undertaking)** workshop on the **CORUS ConOps\*** for U-Space, a project aiming to develop an Air Traffic Management system for Unmanned Aircraft (also called UTM) in Europe. Together with attendees from other pilot organisations, we pointed out the need for safety in any interaction between manned and unmanned aircraft in the very low level airspace. It was also an eye opener to listen to the US attendees' comments. In the United States, regulation is clearly more protective of General Aviation vs. unmanned aircraft, than the initial drafts from CORUS suggest.

\* **SESAR - Single European Sky ATM Research** (European air traffic management system)

\* **CORUS - Concept of Operations for European UTM Systems**. UTM is Unmanned Traffic Management

### **EUROPE AIR SPORTS GENERAL CONFERENCE 2019**

The General Meeting took place in March in Lisbon. Here is a brief summary of the main topics that were discussed.

- Electronic Conspicuity (led by Michel Rocca) – some countries are more congested than others and are more likely to be concerned that all aircraft can see and be seen. There is a need for small, light, inexpensive equipment and systems.
- Rulemaking activities (Julian Scarfe) – a comparison of 2009 with 2019 shows an encouraging change of attitude at EASA, with a move from rule-making, creating increasingly stringent rules, to a **European Plan for Aviation Safety (EPAS)**, focussing on safety, the impact on users and consultation with users.

- An update on **Flight Crew Licensing (FCL)** (Rudi Schuegraf) – a commentary on the never-ending story of FCL and the numerous amendments to the FCL rules since 2012.
  - The latest news on model flying (Dave Phipps) – reporting on the extensive work over the last year aiming to defend model flying from being caught up in the regulations for drones and enable clubs and associations to retain their traditional rights. See page 2 for the latest situation.
  - European Plan for Aviation Safety 2019-2023 analysis (Nils Rostedt) – in this 5-year plan there will be increased focus on Safety Promotion activities for General Aviation and a positive approach to the use of new modern technology. Drones will be a high priority rulemaking area, with the new declaration of EASA's strategic ambition that "The introduction of new airspace users should not degrade the level of safety".
- Other important rulemaking currently in hand includes Implementing the new Basic Regulation into Part-21, FCL Light, Part-21 proportionality, easier access for **General Aviation (GA)** pilots to **instrument flight rules (IFR)** flying, revision of **surveillance performance and interoperability (SPI)** and revision of the balloon and sailplane licensing requirements.
- Aerodrome safeguarding and wind turbines (René Heise) – a presentation concerning the large numbers of turbines in Germany, the risk that this technology poses for aviation and the potential that this problem, driven by finance and industry, will extend to other countries.



*Delegates at the 2019 EAS Conference*

- Noise Abatement issues (Jean-Pierre Delmas) – describing another environmental problem that is significant in France but is also relevant to other countries. Mechanisms have been created to establish categories of planes that create different levels of noise impact, with control measures enabling different categories to have different levels of access to specific aerodromes. Technical solutions are also being researched, including quieter electric planes.
- Opt-out 600 kg MTOM (Rieteke van Luijt) – a resumé of the move to adopt the new regulations; see page 3.
- European Gliding Union and the new Gliding Rulebook (Patrick Naegeli) – the new gliding rules will come into force in April 2020, with a twelve-month transition period until April 2021. Patrick summarised the main aspects of the new regulations, saying they are 'as good as we can hope'.
- General Aviation in Canada (Jean-Claude Audet) – a comparison of the regulatory environment in Canada and Europe.
- The European Hang-gliding and Paragliding Union (EHPU) (Marc Asquith) - the background of the EHPU and their future intention to participate in EAS affairs.

## **EASA SURVEY**

EASA mentioned at the EAS General Conference in 2018 that they are keen to gather some data. In collaboration with our partners, **IAOPA-EUR (International Aircraft Owners and Pilots Association of Europe)** and **GAMA (General Aviation Manufacturers' Association)**, the EASA GA team has initiated a survey of European GA activity. By our members taking part, the EAS – EASA relationship will benefit and the data can be used to the benefit of GA.

The survey is rather biased towards fixed wing power flying, but it is useable for most other forms of flying. Europe Air Sports encourages our members to participate.

The background is that it is agreed that Europe has no statistical data about the General Aviation (GA) fleet which would allow appropriate safety and economic analyses. So far most analyses in GA depend on estimates and expert judgement, which is far from ideal and one of the main reasons for a high level of overregulation in the GA industry. This contrasts with the USA, where data generated by the FAA and GA User Associations is used to arrive at important decisions such as Safety Analyses and Economic Impact Assessments.

This survey was created in order to collect meaningful statistical Data for European GA.

It will take you 10 – 15 minutes to fill out the survey. If you don't have the precise figures at hand, estimates are sufficient. If you operate a fleet of different aircraft types, it is suggested that you complete the survey for each aircraft type. If more than one aircraft of similar type is operated, the survey can be carried out with average data for these aircraft in order to save time.

The data is protected and will only be shared with other GA Associations, European and National European Authorities, who are required to comply with the European General Data Protection Regulation. Your data will be used solely for Safety and Economic Analysis and will not be given to third parties.

Thank you very much for your time and effort. Your support can help to make General Aviation safer and more economical.

Here are links to the Survey:

In English: <https://www.surveymonkey.de/r/FRSKRVS>

In French: <https://www.surveymonkey.de/r/9HP3CLR>

In German: <https://www.surveymonkey.de/r/FT82FQT>

## **RULEMAKING EXPLAINED by EAS Programme Manager Nils Rostedt - PART 3**

In this issue I start by mentioning some items that complement the previous articles.

### **Advanced Notice of Proposed Amendments (A-NPA)**

This kind of rulemaking document is an "early proposal" which EASA sometimes uses to "test the waters" when proposing new, large areas of regulation. Examples are the first proposal for European regulation of drones (2015) as well as the first proposal (in 2014) for what eventually became the latest revision of the Basic Regulation. An A-NPA may often include open questions in addition to draft rules, and depending on the feedback given by stakeholders, the final outcome may sometimes differ quite markedly from the A-NPA.

### **European Plan for Aviation Safety (EPAS)**

This annually updated document is the main steering document for EASA's activities. It contains listings and short descriptions of the complete set of EASA rulemaking tasks with time schedules. It also contains a section describing EASA's current 5-year strategic plan, from which the rulemaking tasks are derived. For example, in the newest EPAS revision (2019-2023) EASA has written as its short term priority the implementation of the new regulatory topics that were introduced on a high level in the new Basic Regulation of 2018. You can find this, and other EASA documents, on the EASA website.



Finally: In the previous articles we've shown the European regulations structure and the rulemaking process.

Now how is **Europe Air Sports** involved? The answer is: In many important places.

Let's start with the EASA Public Consultations (**Notice of Proposed Amendments or NPAs**). This is where the EAS Programme Manager (PM) is active. We scrutinise and prioritise every NPA issued by EASA: How important is this rulemaking proposal for European sports, recreational and general aviation (including model flying)?

The important NPAs (one third to one quarter of all NPAs) are then looked into in detail, either by the PM or within an NPA-specific workgroup. Often, our Technical Officers are consulted, or the expertise from EAS's membership. Together we produce a consultation response, which is fed back to EASA using its **CRT (Comment Response Tool)** system.

The Programme Manager also monitors other rulemaking documents and proposals coming from EASA and, if important, initiates a response or alerts the Board of EAS to act. For an idea of the amount of published regulations and EASA proposals, here are some numbers:

Type of document	2017	2018
ToR (Terms of Reference)	16	9
NPA (Notice of Proposed Amendment)	22	15
CRD (Comment Response Document)	19	20
EASA Opinion	9	3
Commission Regulation	3	1
Certification Specification	7	12
AMC/GM (Acceptable Means of Compliance/ Guidance Material)	56	26

Regarding consultations issued directly from the Commission, a similar procedure is followed by our Brussels political advisor Timo Schubert.

A very significant part of the influencing power of Europe Air Sports, however, comes from the participation of our Board Members in various Rulemaking Working Groups and Advisory Bodies of the European authorities. Over the years, EAS has built up a trust relationship with key persons and departments in both EASA, the Commission, and the European Parliament. Thanks to those formal and informal relations, the Europe Air Sports voice is heard and recognised in European rulemaking, to the benefit of European aviators!

### **SIGN UP FOR THE NEWSLETTER!**

If you would like to receive future issues of the Newsletter direct to your inbox, please sign up on the Europe Air Sports website at <http://www.europe-air-sports.org/>

## MEMBERS NEWS - An Update from the EAS Treasurer Manfred Kunschitz

As EAS focus is on a wide spread representation of air sports persons all over Europe, we continually talk to National Aero Clubs in several European countries.

Recently a fruitful meeting to present what we do resulted in a new member: RACE - Real Aero Club de España announced that they would come on board. They recognised the importance of being part of the European network and being ready to support the work of EAS. The Spanish Aero Club now strengthens our organisation together with the Czech National Aero Club, the Aero Club of Portugal and the European Model Flying Union, all of them newcomers during 2018. Welcome to the club!

We are looking forward to building up trust with further countries and possibly being able to cover the whole of Europe. Together we are strong!

## NEW BOARD MEMBER - PATRICK PAUWELS

At the Annual General Meeting, there was an election for a vacant place on the Europe Air Sports Board. Four candidates were nominated - Patrick Pauwels (RBAC+EGU), Steen Poulsen (RDAC), Martin Ryff (Aero Club Switzerland and EPFU) and Carlos Trigo (Federação Portuguesa de Aeronáutica). Patrick Pauwels was elected in the first round of voting and joins the Board as a Vice-President. Congratulations to him and thanks to those who were willing to put themselves forward.

Patrick Pauwels' first encounter with aviation was through the Youth and Aviation Association in Belgium, with visits to air force bases, airports and manufacturers, as well as opportunities for flying in light aircraft and gliders, hang-gliding and parachuting.

Patrick started civilian gliding in 1974 and has been a member of Diest Gliding Club since 1976. He became the executive officer of the Association of Flemish Gliding Clubs, first as a volunteer, and from 1998 as a full time employee. He is a board member of the Belgian



Gliding Federation, where he has been secretary/ treasurer since 1998 and also of the Royal Belgian Aero Club, where he represents gliding and has responsibilities for competition administration and for the transfer to EASA standards of maintenance, medical and licensing regulations.

Internationally Patrick was a Europe Air Sports board member from 2009 till 2012. He was also one of the founders of the European Gliding Union (EGU) and an EGU board member and treasurer from 1993 until 2008, when he was elected EGU President for 3 years. In this role, he was very active in several EASA rulemaking groups.

Since 1996, Patrick has been the official Belgian delegate at the International Gliding Commission of the FAI. He has also served in various official roles, (Chief/Steward/Jury member) at many International Championships. He was awarded the prestigious Lilienthal Gliding Medal by the International Gliding Commission of the FAI in 2017.

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