

MAY 2013

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GENERAL CONFERENCE REPORT – by Diana King

There were 50 delegates at the 2013 General Conference in Copenhagen in March. On Saturday evening delegates and partners attended a dinner to celebrate 25 years of Europe Air Sports. Three former EAS Presidents came as guests and each gave a short talk reflecting on progress during the last quarter century.



Past and present Presidents and Secretaries General; left to right: Pierre Leonard, Herry Schoevers, Wolfgang Weinreich, David Roberts, Fred Marsh, Olivier Burghelle (Photo Knud Nielsen)

We present here a brief summary of the topics which were reported and discussed.

- Rudi Schuegraf gave an update on FCL, reporting that nations are interpreting some aspects in a variety of ways. There is a need for harmonisation and co-operation between nations. He also spoke about initial airworthiness and encouraged members to read Regulation 748/2012, which provides many small alleviations to the system.

- Peter Saundby, who has been the EAS Technical Officer (medical) for 25 years, gave his last report, including a review of the successes and problems experienced by EAS during that time. He is now handing over to doctors Marja Osinga and Steve Gibson, who have taken over much of the work during 2012/13.



Peter Saundby with Timo Schubert (left) and Julian Scarfe (right) (Photo Diana King)

- Julian Scarfe reported on the rule making process on Operations. He commented that the EASA committee process is very dependent on personal contacts because relevant documents are not always published. He asked members to let him know the names of officers from NAAs or Transport Ministries who attend EASA Committees, so that EAS can keep in touch and provide briefings.
- A discussion of RPAS (Remote Piloted Aircraft Systems) was led by Graham Lynn. Training organisations are being set up, similar to those for piloted aircraft. A new improved Working Group on Lightweight RPAS is likely to be more successful, but Graham thought that many nations had already prepared their own rules.

Peter Bombay, deputy head of the Aviation Safety Unit in DGMOVE, attended as a guest and made a presentation. He believes that EASA has had a positive effect on improving safety and that, as aviation grows throughout the world, the improvements need to be maintained even while the economic situation causes difficulty for organisations. He suggested that solutions that work for large operators should also work for the small ones, but he also acknowledged that standardisation has sometimes led to disproportionate rules and too much emphasis on 'box ticking'. His message to the delegates was that, if General Aviation (GA) wants to be free from EASA regulation, then GA must take responsibility for creating our own safety culture; there is no room for 'cowboys'! The basic regulation is under review, but we should not expect things to change overnight. EASA does not have all the information and sees EAS as a valuable partner to provide information, facts and expertise in relation to Sporting and Recreational Aviation.

Peter Bombay's address was followed by a question and answer session.

The Annual General Meeting of EAS took place on the Sunday. The Board reported on the previous year's activities and the Treasurer Manfred Kunschitz presented the accounts, showing a surplus of €7,409, and the budget for next year, which aims for a small surplus. Günter Bertram was re-elected unopposed and all other Board members remain in post.

At the end of the weekend, Osman Yildirim, the Turkish delegate, invited EAS to hold the 2014 General Conference in Istanbul and this was accepted. The Conference will take place on 22 and 23 March 2014.

COMMISSION PROPOSAL ON OCCURRENCE REPORTING: Strong need for more proportionate rules for light aviation – by Timo Schubert

Last December the European Commission produced a proposal for a new Regulation on Occurrence Reporting in Civil Aviation. Once adopted this regulation will replace existing European legislation in this field.

According to the proposal, "occurrence" means any event which is or could be significant in the context of aviation safety, including accidents and serious incidents. The proposal is of direct relevance to Europe Air Sports' members, because it applies to all civil aviation.

The proposal contains a detailed annex, listing occurrences that must be reported. Many of these occurrences are however not appropriate for light aviation, as they would

overburden the sector with disproportionate reporting requirements, without any safety benefit. Some examples of these are:

- An avoidance manoeuvre required to avoid a collision with another aircraft, terrain or other object
- Unintentional significant deviation from airspeed, intended track or altitude (>300 feet)
- Incorrect setting of an SSR code or of an altimeter subscale
- A wind shear encounter
- Loss of pilot seat control during flight

EAS has been in close dialogue with the European Commission, the European Parliament and EU Member States (Council) in order to propose improvements to the draft legislation. In particular EAS has requested more proportionate rules for our sector, which could be achieved by introducing a separate annex of occurrences to be reported by light powered aircraft, gliders and balloons. EAS has also suggested that Annex II aircraft, for example microlights, experimental and historic aircraft, should not be covered by the legislation. This would be logical as these aircraft are regulated at national and not EU level.

The Commission's proposal is currently passing through the EU's legislative procedure, so changes can still be made by the Member States and the European Parliament. This process is likely to carry on until summer 2013. Based on contacts with the EU's decision-makers, EAS expects significant improvements before the legislation becomes applicable.

A copy of the Commission's proposal can be downloaded by [clicking here](#).

QUALIFICATIONS FOR FLYING IN IMC – Julian Scarfe reports

The publication of EASA's Opinion 03/2013 'Qualifications for flying in IMC' is an important milestone in the development of the EASA system of regulation. While we are used to EASA's output imposing new, more restrictive rules on the aviation community, this opinion seeks to redress the balance in a helpful and constructive way.

In 1990s Europe under national aviation legislation, the instrument rating (IR) was often looked upon a rite of passage for an aspiring airline pilot, and most private pilots saw it as an unattainable goal because of the time and cost commitment required to acquire it. The introduction of JAR-FCL made this situation even more extreme, leading to a situation where only about 5% of EU private pilots hold IRs. In comparison, in the USA 27% of private pilots hold an IR.

Some consequences of such a low proportion of IFR pilot capability in Europe include:

- Light aviation has almost ceased to be the effective means of personal transport that it is in the USA, because VFR flying does not provide an acceptable practical level of operations for business and even leisure transport. This means that many pilots are effectively restricted to local area flying, so that some become disillusioned about the freedom of flight.
- An unacceptable and increasing number of 'controlled flight into terrain' accidents occur when pilots try to fly VFR in marginal weather, when conditions would make a properly executed IFR flight safer and easier.
- The technology that enables IFR flight, which was once the expensive preserve of airliners, is now beginning to become cost effective for lighter aviation. Highly capable GPS navigation systems, sophisticated autopilots and terrain awareness systems are all available to even simple aircraft. If the pilot is not capable of flying IFR, the safety value and operational utility of these technologies is lost.

When, in the drafting process for Part-FCL, Europe Air Sports raised these issues as a reason for review of the requirements for the IR, EASA set up a rulemaking task FCL.008 to look at these related issues.

An examination of the situation quickly revealed a critical issue: instrument flying is not, in itself, difficult to learn, but the framework in which it is taught tends to be set up for aspiring airline pilots. It is often taught at professional (and therefore expensive) schools, in expensive aircraft, on weekdays, to pilots who can dedicate months of their life to getting licences and ratings. This increases the cost and decreases the feasibility for private pilots, without offering safety benefits.

The FCL.008 proposals seek to change this and bring instrument flying back within reach of private pilots. The proposals include:

- a reduction of about 50% in the content of the theoretical knowledge
- a reduction in the number of hours required, back to the ICAO standard
- credit for previous instrument flying experience and training
- the ability to train outside an ATO environment, in the student's own aircraft.

Crucially, the standard of instrument flying required, which has never been the main problem for private pilots wanting to fly IFR in simple aircraft, has not been reduced.

Opinion 03/2013 also includes reasonable and proportionate conversion requirements for holders of third-country instrument ratings. This is of particular importance to pilots based in Europe flying US-registered aircraft, who will require Part-FCL licences from April 2014.

The Opinion also contains a new concept, the enroute instrument rating (EIR). The creation of the EIR recognizes that the most difficult aspect of IFR is flying the instrument approach, but that enroute instrument flying skills are useful both operationally and in providing pilots with the skills to manage unexpected weather deterioration on VFR flights.

Descending through clouds after sunset (photo Diana King)



Finally, the Opinion includes a proposal for the sailplane cloud flying rating (SCFR). Cloud flying operations and regulation vary greatly across the EU: in some states cloud flying in gliders is virtually unknown, in others it is an everyday event. The SCFR therefore establishes a requirement for a short course of practical training and a skills test in order to operate a glider in cloud. Note that SCFR only considers pilot training requirements for cloud flying in gliders; the airspace structure in some states makes cloud flying in gliders impractical or impossible.

Everything in Opinion 03/2013 is strongly supported by Europe Air Sports. We ask member organisations to express their support for this important development, and to urge their national representatives to do the same when the draft legislation comes before the EASA Committee in July 2013.

AIRCRAFT CONTINUING AIRWORTHINESS MONITORING (ACAM) – by Rene Meier

As part of their continuing airworthiness oversight system, competent authorities are required to develop a survey programme to monitor the airworthiness status of the fleet of aircraft on their register, based on paragraph M.B.303 of Part-M annexed to Regulation (EC) No 2042/2003.

Notice of Proposed Amendment (NPA) 2011-19, which contained the draft Opinion for a Commission Regulation amending Part-M, was published on the Agency website in November 2011. By the closing date of 1 March 2012 the Agency had received 82

comments from 19 National Aviation Authorities (NAAs), professional organisations (including Europe Air Sports) and private companies.

The ACAM survey programme is to be developed by selecting a relevant sample of aircraft and will include an aircraft survey, focusing on a number of key airworthiness risk elements (KRE). Appendix III to AMC M.B.303(d) defines those KRE for the aircraft surveys to be conducted by competent authorities.

Feedback from competent authorities and typical findings during standardisation inspections by the Agency show that ACAM requirements and KRE are not consistently and uniformly applied in all Member States. In my opinion, any other result would have been a surprise.

The existing rule material, the related Acceptable Means of Compliance (AMC) and Guidance Material (GM) have, therefore, been reviewed to improve clarity and to include additional guidance, including typical inspection items, on the use of KRE. The review group in charge, in which I represented Europe Air Sports, obtained changes aiming at enhanced efficiency of the ACAM programme, both in terms of flight safety and better use of competent authority resources, without increasing stakeholders' burden too much.

Within the Board of Europe Air Sports we had lively discussions on the "pro's" and the "con's" of General Aviation, particularly Sports and Recreational Aviation, being included in the ACAM system. We felt that, again, the Agency is proposing to impose rules, which fit well for commercial air transport or commercial operations, but which do not fit our activities. In doing so the Agency and later the EASA Committee, the Commission and the Parliament, might wish to create new obligations to be fulfilled by our members, in our view with no increase in safety.

Comments we received from our members showed that a real risk-based approach looking at the available relevant statistics would bring best results, and real safety gains.

It is recognised that our activities are not a risk to third parties. For this reason all non-commercial operations with aircraft of less than 2'000 kg MTOM should be exempt from ACAM oversight activities. Underlining this position additionally is the fact that ACAM data are stored nationally, with no planned exchange among Member States, but comments were raised that excluding some aircraft completely from ACAM would mean that States may no longer assume their ICAO State of Registry responsibilities for such aircraft.

A fear exists that ACAM might be misused as policing action. Europe Air Sports strongly opposes such actions. Problems linked to stakeholders' soft skills must be avoided. Only in cases of serious safety concern should inspectors be allowed to ground an aircraft. This should not happen in cases involving additional equipment, e.g. glide computers, FLARM or PowerFLARM, which have been added to the aircraft's essential equipment.

The Agency published its Opinion 02/2013 on 22 March 2013. Comitology process will be initiated shortly. Sadly, we are receiving signals that show a strong political wish to include our operations in ACAM surveys. We shall keep you informed about the outcome after we have taken all reasonable measures to avoid a negative impact on our activities.

For further information please contact René Meier, Programme Manager.

MORE ON MAINTENANCE - PART M TASK FORCE UPDATE *by David Roberts*

Phase 1 work of the task force resulted in NPA 2012-17 in October 2012. There were some 335 comments from NAAs and 'industry' which will be published in the CRD in late July 2013. The EASA Opinion will be published at the same time as the CRD - a change to the normal procedure. This first phase of work focused on relaxing the rules around maintenance programmes and the issuing of Airworthiness Review Certificates (ARC). Later this year the Opinion will be considered and voted on by the EASA Committee of member states representatives (the 'comitology' process).

The task group met on 22-23 April to review the comments to phase 1 and, importantly, to start the work on phase 2. Phase 2 will consider the suggestions made at the EASA Part M workshop in October 2011. Some of the group's ideas for major improvements also include

- single organisation approval for DOA/POA/MOA/CAMO for ELA 1 and ELA 2 aircraft;
- individual engineers to issue CRS, ARC, and approve minor changes and repairs etc;
- review the definition of 'commercial operation' (which is a high priority on the European Commission's list of actions too);
- extending the ARC interval depending on use of the aircraft (low hours vs. high hours);
- relaxation of rules for the acceptance of components.



(Photo Cambridge Airport)

There is no definitive timescale for phase 2, but it is hoped that progress can be made before your EAS President, who is on the task group, reaches 100 years of age, just to prove that EASA can move more quickly if pushed.

ARTICLE 62 EVALUATION - an explanation by Cor van den Burg

I suppose that the ordinary member could say, reading this headline, this is probably again one of those dull Brussels words that has to do with bureaucracy in the first place. But it is not. I will explain why. First of all I will give a little explanation of what it means in general and then what it means to EAS.

Every five years there is an independent external evaluation on the implementation of Regulation (EC) No 216/2008, which is the hard law for civil aviation. This evaluation is commissioned by the Management Board of the EASA. The evaluation looks into the effectiveness of EASA, the impact of the Regulation and the working practices in establishing the required high level of civil aviation safety.

What is the follow on from the evaluation? The Management Board receives the findings and makes recommendations to the Commission, regarding changes to Regulation 216 and to EASA and its practices. Then the Commission may forward them, together with the opinion of the Commission, to the European parliament and the Council. These recommendations can make a difference to the regulations that affect all of us. So yes, this evaluation is important.

Now, what is the role of EAS in this process? Article 62 says that the evaluation shall take into account the views of stakeholders at both European and national level. EAS is an important stakeholder.

So, after receiving an invitation to give our views, we of course did so. It seems important here to give to you, our members, an explanation of what we did and why we did so. Therefore it is important to remember that, as you have no doubt read in previous communications to you, we were given the opportunity to express our views on the future of rulemaking for GA. And we can say that the EAS contributions were greatly appreciated and we were congratulated on the excellent quality of our contribution. Although this is only the beginning, the Management Board and the Commission broadly endorsed our views regarding rulemaking for the future.

We realised that the Evaluation Committee would probably not be very well informed about the progress that has been achieved in the position of EAS and GA. It therefore made sense for EAS to add some additional information to the questions forwarded by the Evaluation Committee and we sent them a paper explaining the position of EAS. This was especially important because we realised that, for good reasons, the main focus of the Committee would be on commercial stakeholders. Our way of working has always been that we understand our position, but we have been working hard to make Brussels understand that we are an important stakeholder. We use sound and valid arguments and

these are more and more appreciated. So there was good reason to inform the Evaluation Committee about the present state of affairs. And so we did. That meant that we not only presented our views on the main challenges for EASA and whether in our view EASA was fit to cope with these challenges, but we also delivered our views, very much supported by EASA and the Commission, about risk based rulemaking, evidence based rulemaking and how to realise those important issues.



Should we expect a favourable speedy follow-up for GA in the near future on the basis of the evaluation and our input? The answer is: no. I have painted the procedure for what will be done with the results of the evaluation. That will take time. But the good thing is that we were able to explain our views and we did more than that, as a contribution to safeguard the position of EAS and thereby GA, for a future that no doubt will be dominated primarily by commercial aviation. We again made clear that EAS is able to deliver our position at the right time at the desk of the officials that matter. We strongly believe it will be helpful in our legal fight to preserve the rights of our members.

LIGHT TRAILERS TO BE EXCLUDED FROM EU ROADWORTHINESS TEST REQUIREMENTS - *Timo Schubert reports*

As already reported in December, the European Commission has proposed new legislation aimed at improving road safety. The proposed measures include the introduction of regular roadworthiness tests for light trailers (up to 3.5 tonnes) for the whole of the EU. Currently some Member States (such as Germany) require such tests for light trailer, while others (such as France and the UK) do not. This proposal is of interest to EAS because it may impact on the organisation of air sports competitions, in particular in the field of gliding.

The Commission's proposal has in the meantime been discussed by the European Parliament and the Council (i.e. EU Member States) in accordance with the Ordinary Legislative Procedure. In this procedure the Parliament and the Council both have strong decision-making powers, which include the ability to accept, reject or amend the Commission's legislative proposal.

The Council adopted its [first position](#) - a so-called General Approach - at the end of 2012. In this position the Council rejected the introduction of regular roadworthiness tests for light trailers.

Following intense discussions the European Parliament's Transport Committee adopted its first reading position on 30 May also excluding small trailers up to 2 tonnes from the legislation.

Prior to the vote EAS had approached key Members of European Parliament (MEP) in order to promote the exclusion of light trailers from the European rules. The argument was made that in many EU Member States such trailers have been operated safely for many decades and that European legislation would generate a disproportionate administrative and cost burden. EAS is pleased with the result of the vote and appreciates the MEPs' understanding of our sector.

Before the legislation can be adopted the Council and the European Parliament need to agree on one single text, and this will require further discussions between these important institutions. EAS will continue to monitor developments and act when necessary.

STRONGER TOGETHER – AN APPEAL FROM THE PRESIDENT

Do you want to know more about what is happening in Europe?

Would you like to have a say in what is going on?

Do you wonder how to influence the rules that are created that affect your flying?

If so – read on

Europe Air Sports works closely with the National Aero Clubs that are EAS members. We work closely with officials at EASA and have contacts in the European Commission and Parliament. We also have a professional adviser who understands how to talk to the politicians and officials who make the rules. Europe Air Sports is the connection between the ordinary recreational pilot and the European institutions.

- We make sure that your views are heard and that rulemaking is proportionate to our activities.
- We give you the chance to help develop the rules for sporting and recreational pilots.
- We report to all Europe Air Sports' member National Aero Clubs, to let them know what is happening.

But ... we can only tell the politicians what you think if we have a link with you, and of course this costs a modest amount of money, even though all but two people involved are unpaid volunteers.

If your National Aero Club is not a member of Europe Air Sports, please encourage its officials to talk to us and join us. That way you can help us to keep your flying as free of rules as you would wish.

The EU member states and associated states* whose National Aero Clubs are not currently members of EAS are:

Bulgaria	Czech Republic	Estonia	Hungary	Iceland*
Latvia	Lithuania	Malta	Romania	Slovakia

INTRODUCING THE BOARD MEMBERS AND STAFF OF EUROPE AIR SPORTS

Dominique Méreuze, a Vice-Président of Europe Air Sports, is 65 years old and lives in Gap in the 'Haute Alpes' in southern France. He has two children and five grandchildren. He studied literature at university, spending his free time on squash, rugby and mountain hiking. After finishing his studies he joined the Army and later became a senior officer in the national French police, retiring in 2002.

He is qualified in several air sports, including Hang-gliding, parachuting (and flying the jump plane!), flexwing, three-axis, autogiro microlights and light aircraft and was an instructor on microlights. His flying in light aircraft and microlights has taken him to many parts of Europe, Africa, Guiana, New Caledonia, Réunion Island and Madagascar. He owns his own flexwing microlight.

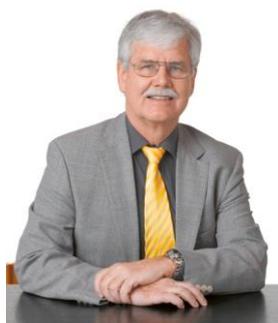
Dominique has been Président of the Fédération française d'ULM (Microlights), an organisation of 14,300 members, since 1998 and the General Delegate to CNFAS, the French National Council of Sports Aviation Federations, since 2005. He is also the Président of the European Microlight Federation (created with Keith Negal and Jo Konrad), which represents 24 countries and 40,000 members.



Dominique's passion is touring and mountain flying and his mission is to protect microlighting and to keep the sport in Annex II and outside the regulation of EASA.

René Meier, EAS Programme Manager, was born near Grenchen in Switzerland in 1946 and studied Public Transport and Administration before joining Swissair for training as a ground operations officer. At 21 he joined the Swiss Air Force, training in all aspects of Air Base Operations, before taking command of a headquarters company as a part-time militia officer. By 1984, René had achieved promotion as a militia officer and was commanding an airbase. Over the next twenty years, he held a variety of senior air force positions, including taking part in the introduction of the F/-A 18 Hornet and becoming a

member of its operations team. He was later a member of the "Cougar" helicopter introduction and operations team and a member of the special vehicles and ground support equipment team for the new vehicle generation. He was also Chief Co-ordinator for the film "Swiss Air Force – identified" before retiring from military service in 2003.



In 2004 René became Manager of Grenchen Regional Airport for two years and then moved to work for the Aero-Club of Switzerland, covering airspace and international affairs. In 2010 he was appointed as Europe Air Sports Programme Manager and has undertaken various missions with SESAR JU and EASA Review Groups. In order to have a better understanding of the ongoing discussions about Flight Crew Licensing and Air Operations, he has recently assisted on the theoretical training courses for CPL/IR.

Alongside his military service, René also completed eight years in ground operations with SwissAir and six years in a travel agency which he set up with a group of friends. At Grenchen Regional Airport, he held an Air Traffic Controllers Licence for VFR operations, headed the 2006 Air Show and organised the 2008 Swiss Gliding Championship. He is President of Grenchen Regional Association of the Aero-Club of Switzerland and also of the Segel-und Motorfluggruppe Grenchen (Grenchen Sailplane and power flying club)/Flugschule Grenchen (Grenchen Flying School) which has 600 members, 16 motor-powered aircraft and 14 sailplanes. He has 550 flying hours on Piper SEP, from Super Cub to Saratoga.

GLOSSARY

FCL	Flight Crew Licensing
NAA	National Aviation Authority
DGMOVE	Directorate-General for Mobility and Transport
SSR	Secondary Surveillance Radar
Wind Shear	A difference in wind strength and direction over a small distance
DOA/POA/MOA/CAMO	Design Organisation Approval/Product Organisation Approval/Maintenance Organisation Approval/Continued Airworthiness Management Organisation
SESAR JU	Single European Sky Air Traffic Management Research Joint Undertaking, an industry programme of €3.2 billion, funded by Eurocontrol, the European Commission and industry
CPL/IR	Commercial Pilot's Licence – Instrument Rating

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