

AUGUST 2015



17-year old Daniel Billam is pictured launching his rubber-powered model aircraft at the start of a Free Flight competition flight.

'Free flight' in every sense is at the heart of what Europe Air Sports is striving to conserve for all sporting and recreational pilots. If we could conserve the youth and energy in this picture, we would do that as well!

This issue has a major focus on Remotely Piloted Aircraft Systems (RPAS), commonly referred to as drones. They are a potential threat to many of us, and in particular have the potential to cause damage to the model flying community. Model aircraft flown for pleasure and sport are not the same as drones, but there is a risk of models being swept up in newly drafted regulations.

News in this issue:

Follow-up on new rules and regulations 1

Occurrence Reporting 4

Advanced Notice of Proposed Amendment (A-NPA 2015-10) "Drones" published on the Agency's website 4

EASA Annual Safety Conference 2015: Training in Aviation..... 6

New Section Manager Flight Crew Licensing..... 6

Key Contacts 6

Sign up for the newsletter! 6

FOLLOW-UP ON NEW RULES AND REGULATIONS – by Rudi Schuegraf

Introduction

In the last issue of our newsletter we presented information about new rules and regulations which appeared in the European regulatory environment for aviation. Many of them are still complex, complicated to read and understand. In this issue of the newsletter we try to assess the impact on our part of aviation and we try to point out some of the benefits contained in the new versions of the regulations and decisions.

Standard Changes and Repairs

Before EASA was established, most of the European Aviation Authorities allowed the application of a widely used FAA manual, the "Aircraft Inspection and Repair, FAA AC 43.13-1A". It was translated to many languages and was "the standard compendium" for

many aircraft owners, pilots and mechanics when they had to install equipment like radios or check and repair parts or aircraft simple systems.

After the publication of the EC Regulation for Initial Airworthiness and its Part 21 in September 2003, the only option that EASA had was not to allow the use of this essential document. Europe Air Sports had pushed basically from day one of EASA to get this system back into legal usage, but for various reasons it took a very long time to achieve this and for EASA to publish the Decision and the Certification Specification, described in the last issue of the newsletter.

With the decision signed by the Executive Director of EASA, Patrick Ky, he opened the door to making it possible to apply and make use of the Certification Specification Standards (CS STAN). This will lead to less bureaucracy and to less cost, while keeping the same or even increasing the level of safety.

CS STAN is divided into three main parts, subpart A General, subpart B Standard changes and subpart C Standard repairs.

Subpart A contains the usual legal issues like scope and applicability, referenced documents and definitions.

Subpart B at present lists 22 standard changes which are allowed to be installed in aircraft - aeroplanes up to 5,700 kg MTOM, rotorcraft up to 3,175 kg MTOM, most sailplanes, balloons and airships. The definition of "installation" is important:

*'Installation' means the embodiment in/on the aircraft of **equipment, instrument or system** to provide a new function or new information not previously available at the aircraft. Whenever a SC (Standard Change) covers an 'Installation' of an equipment/instrument/system, the exchange of the equipment/instrument/system is also covered by the same SC.*

This definition allows us, for example, to install a new radio or exchange it with a used one following the procedures described in AC 43-13 2B. Especially in the context of the requirement to refit all radios by the end of 2017 with radios capable of 8.33 KHz, or to install FLARM systems in aeroplanes, this option makes the application for individual minor changes obsolete. The instalment needs to be recorded on a simple one page form and a qualified engineer has to sign the Release to service. In AMC 801 to Part M this procedure is described. 22 Standard Changes are listed in subpart B, which are the start of this Phase one. Phase two will add more standard changes to CS STAN. Your association will take an active part in the drafting of Phase 2.

Subpart C, a very short one (which is extremely unusual), consists of two standard repairs:

- One Standard Repair (SR) is issued to allow the use of FAA Advisory Circular AC 43.13-1B for repairs of aircraft with metal, composite, wood and mixed structure; and
- a second SR allows the use of established practice for the repair of metal, composite, wood and mixed structures of light aircraft, sailplanes and powered sailplanes, as defined in ELA2, LSA, and VLA. The documents to be used are:
 - for composite structures - 'Kleine Fiberglas Flugzeug Flickfibel' by Ursula Hänle;
 - for wooden and mixed structures on sailplanes and powered sailplanes - 'Standard Repairs to Gliders' by the British Gliding Association or 'Werkstattpraxis für den Bau von Gleit- und Segelflugzeugen' by Hans Jacobs.

Both Standard Repairs (SR) are not suitable for



a Pilot Owner release to service.

Our advice, in case a Standard Change or Standard Repair is necessary and planned, the owner should always consult the expert in his maintenance organisation whether it is safe to follow that path or whether an approved repair shop would be the more suitable option.

Flight Crew Licensing -

Commission Regulation 445/2015/EU amending Commission Regulation 1178/2011/EU

A few days before our General Conference was held in Luxembourg in March, Commission Regulation 445/2015/EU was published in the Official Journal. This was the publication of a regulation which was awaited urgently. Without it, all Training organisations for PPL A, LAPL A, SPL, BBL and LAPL S and B would have needed a full Authority approval in line with Regulation 1178/2011/EU.

According to Regulation 445/2015/EU this requirement is now deferred to 8 April 2018 but there are two distinct but different solutions.

- JAR compliant training organisations registered before 8 April 2015 can continue to deliver Flight Instruction for the PPL A, the associated ratings and the LAPL A without fulfilling the requirements of Part ORA and Part ARA; no Authority Approval is required so far. It needs to be stressed that this solution is not an option that Member States can choose or not, Article 10 a, 3 makes it valid European law.
- The solution for sailplane and balloon Flight Instruction is different. The regulation allows the Member States to choose two opt-out versions:
 - Not to apply the requirements of Part FCL for sailplane and balloon licenses until 8 April 2018; and
 - Not to apply the requirements of Part ARA and Part ORA until 8 April 2018, on training organisations which deliver flight instruction for national licenses that can be converted to Part FCL licenses.



This means that Member States have the

Option one: to let training for sailplanes and balloons continue until April 2018 based on their national rules and to convert those licenses at a later date before April 2018; and

Option two: to let training organisations continue without an Authority Approval, in compliance with Part ARA and ORA, but with the deadline of 8 April 2018.

The European Commission, i.e. the team of DG MOVE and EASA followed EAS and other stakeholders to gain those three years when we do not have to apply the heavy burden of the Regulation. The time will be used to develop new approaches in line with the GA Roadmap, to tailor the requirements to the risk and the complexity of the operation, and to take into account the many years of practice in the airports communities of the different countries.

EASA has generated a Task Force to develop new concepts on how to do that. The Task Force has met twice already, with three airports representatives participating as experts. The aim is to change the existing regulation to adjust the requirements to become a Training Organisation to an acceptable level without jeopardizing safety. The training system relied for decades on clubs taking their own responsibility. This principle is the lead consideration of the Task Force, which will come up with a first draft proposal in the autumn.

Time is a critical factor. Many FCL orientated rulemaking tasks need to be coordinated and have to be aware of the date of 4 April 2018, after which European law and

regulations will be applied to sailplanes and balloon training and licences. We will keep you posted.

Continuing Airworthiness – Maintenance

Commission Regulation 1088/2015/EU, "Amending Regulation (EU) No 1321/2014 as regards alleviations for maintenance procedures for General Aviation aircraft", was published on 3 July and came into force on 23 July 2015.

The alleviations contained in this Regulation are the result of the work of the Task Force Part M, setup by EASA, which has now completed phase one. The major alleviation is that the Maintenance Programme for ELA 1 aircraft does not need to be approved by the Aviation Authority any more. The owner himself can declare the Maintenance Programme for his own aircraft, based on his competence, the manufacturer's handbook/guidance and on an AMC which will be published by EASA in September/October. He/she declares himself or herself to be fully responsible for its content and, in particular, for any deviations introduced as regards the Design Approval Holder recommendations.

EASA has informed all national Aviation Authorities that until the relevant AMCs are published, the template of the Maintenance Programme contained in CRD 2012-17 pages 204 through 210, AMC M.A.302(e) can be used.

OCCURRENCE REPORTING

Jean-Pierre Delmas has been monitoring this important topic for us. He reports that Commission Implementing Regulation 1018/2015/EU was issued on the 29 June 2015.

It includes the list of occurrences to be reported by pilots of non-complex aircraft (Plane, glider, balloon and helicopter).

DG MOVE and EASA are preparing Acceptable Means of Compliance and Guidance Materials for this Regulation and EASA has had a chance to comment on the first drafts. A second draft is now under review by GA stakeholders. We expect the final guidance to be published in autumn.

We will keep you up to date with any significant new developments.

ADVANCED NOTICE OF PROPOSED AMENDMENT (A-NPA 2015-10) "DRONES" PUBLISHED ON THE AGENCY'S WEBSITE

Rudi Schuegraf explains the current situation

Last spring many aviation experts from industry and authorities met in Riga to discuss with highest political participation the future of Remotely Piloted Aircraft Systems (RPAS). Formerly known as UAVs or UASs the development, technological progress and attractive economic applications of the unmanned aircraft sector have rapidly accelerated and apparently convinced the public and the potential market.



DHL Package copter microdrone for use with commercial deliveries (Frankhöffner)

Worldwide, national legislation is trying to catch up. Meanwhile, the European Commission and EASA in cooperation with JARUS* are attempting to establish a jointly agreed position on a future European legal framework, to allow rapid progress to continue, while protecting unaffected third parties and assuring the necessary privacy and data protection of European citizens.

On 31 July 2015, EASA published the A-NPA 2015-10 "Introduction of a regulatory framework for the operation of drones", with a consultation period closing on 25 September 2015. EASA has been tasked by the European Commission to develop a regulatory framework for drone operations as well as concrete proposals for the regulation

of low-risk drone operations. Both aspects are included in this consultation document together with a chapter containing background information. The intention is to deliver a technical opinion by the end of 2015. This is certainly an ambitious process considering the huge and wide spectrum of “drones” and the time consuming legal procedures involving the European Parliament. The Basic Regulation Annex II must be amended, which will probably take until 2017 or 2018. The framework will encompass European rules for all drones in all weight classes.

EASA proposes, based on a risk and performance based approach, three categories of drones:

- Open (low risk) category, enforcement by the Police;
- Specific (medium risk) category, authorised by National Authorities and
- Certified (higher risk) category, fulfilling requirements comparable to manned aviation.

In parallel, the International Civil Aviation Organisation’s (ICAO) new RPAS Panel aims to deliver standards for unmanned aircraft to ICAO’s governing council in 2018. Once approved, the standards will guide ICAO’s 191 member states in setting their own regulations, either at national level or through the European Commission and EASA. The overall process of producing RPAS standards is expected to take a decade or longer, which appears much too slow for the fast progress of unmanned aviation.

Two major impacts result from the introduction of the new technology, as the proposal in this A-NPA defines:

‘Drone shall mean an aircraft without a human pilot on board, whose flight is controlled either autonomously or under the remote control of a pilot on the ground or in another vehicle.’

The proposal is further detailed:

“It is proposed to regulate commercial and non-commercial operations as the identical drone might be used for both commercial and non-commercial activities with the same risk to uninvolved parties.”

The impact on aeromodelling cannot be assessed yet because detailed regulations still need to be drafted. There is a strong threat that the regulations might restrict the operation of flying radio controlled models.



Radio controlled model Snipe making a 'delivery'

A second major impact on airports operation will result from the intention to open the normal airspace structure for drone operation. Details are still open on how a drone would identify a light aircraft and how they would comply with the rules of the air. Questions of liability in case of accidents are not yet resolved.

Board members of Europe Air Sports will discuss this A-NPA in a working session on 8 September and will deliver detailed and qualified comments to EASA by the consultation closing date.

At the same time EAS is in close contact and consultation with the European Commission’s DG MOVE, providing them with the EAS overall expertise on airports and at the same time promoting the strong opinion that drone operation must not negatively impact the free and unrestricted operation of airports in Europe.

** Explanation of Joint Authorities for Rulemaking on Unmanned Systems (JARUS)*

JARUS is a cooperation of 40 CAAs worldwide and its aim is to develop harmonised rules for drones. JARUS has been recognised by the European Commission and the European

Parliament as the 'working engine' to develop the necessary rules for drones. This will ensure harmonisation worldwide and JARUS is expected to contribute to the ICAO work. The Agency is, therefore, fully engaged in JARUS and provides significant resources such as chairing the group.

EASA ANNUAL SAFETY CONFERENCE 2015: TRAINING IN AVIATION

EASA Annual Safety Conference 2015 has just opened for registration.

Last year in Rome you may remember that the focus of the EASA Safety Conference was on General Aviation. EAS sent several delegates to present the messages that we have been promoting for several years now, namely that regulation should be proportionate and risk based for the airports community. This year's conference focuses on the topic of **"Training in Aviation: Staying Fit for Safety"**. The detailed agenda on this theme is mainly for the attention of the business and airline sector and it is not of high importance to us.

The conference takes place in Luxembourg on 14 and 15 October, coinciding with the country's Presidency of the Council of the EU.

For more information about the event, the draft Agenda topics and for registration, please visit the event website: <http://easa.europa.eu/newsroom-and-events/events/easa-annual-safety-conference-2015>

NEW SECTION MANAGER FLIGHT CREW LICENSING

Matthias Borgmeier, the EASA Section Manager for Flight Crew Licensing since 2007, has been appointed as Section Manager in Technical Training of EASA's Strategy and Safety Directorate. Matthias was "our" man over many years, drafting, amending and explaining FCL regulation, AMC and questions. He has done a great job, we wish him much success in the new job. His successor will be Daan Dousi, who has been named as the Acting Manager of the Aircrew and Medical Regulations Section of the Flight Standards Directorate. We have known Daan for a long time; we know he is open minded and competent and we wish him and us a fruitful working relationship.



Daan Dousi

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