

## NOVEMBER 2014



Airfield in winter (Photo: David Corbett)

I wonder how many of you are already flying in snowy conditions? Whether you have sunshine, rain or snow, I hope you are able to do some flying through the winter months, as well as all those tasks of maintenance and administration that we don't want to do in the summer.

We have reports here on the recent major developments within EASA and we will very soon also send you some news on technical matters.

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**FOCUS ON GENERAL AVIATION AT EASA'S SAFETY CONFERENCE 2014*****David Roberts reports on an important conference***

This was EASA's first annual safety conference, held over two days, devoted entirely to General Aviation. Some 350 people met in Rome in October, representing nearly 250 organisations from all parts of Europe, as well as some from the USA and other non-EU countries.

The conference was addressed initially by EASA Director Patrick Ky and Grant Shapps MP, a UK Government Cabinet Minister and Chairman of the UK's Conservative Party, who pilots a twin-engined aeroplane. During the last year he has been the driving force behind a UK initiative to challenge the UK CAA and other bodies on over-regulation. Grant Shapps, a high level supporter of lighter and only proportionate regulation, made several hard-hitting challenges to EASA to free light aviation from over-regulation and bureaucracy, including medicals.

Another high profile speaker was Andrew Haines, the CEO of the UK CAA, who is leading the changes at the UK CAA to address the over-regulation issues for GA. He set out

*One of the most quotable observations from Grant Shapps: "after 15 or so years of flying, I am amazed to discover that there is an EASA job title 'Head of Rulemaking'!"*

seven key points which he considered required urgent attention from EASA -

- The whole EASA process is too slow and is driven by the most conservative nations
- Stop reinventing the wheel, learn from the USA and others
- Delegate more to associations in the light GA sectors; unleash opportunities; they have the expertise
- Regulators are not preparing people for airmanship, but simply getting them to pass exams and do the paperwork. Inspectors need to get out of the office and actually see aeroplanes!
- Regulators need a more varied tool kit - for example a competence and fitness for purpose test which can be applied robustly in the obvious cases where someone is a danger to themselves as well as others
- Need to make it easier and quicker to adapt solutions to potential problems, without necessarily having everything certified, and not just those problems recognised after fatal or serious accidents
- Need to shift the burden on those who are already regulated - quoting the introduction of upper age limits for balloon pilots as an unjustified imposition

The conference took the form of panel presentations and discussions on the well-known themes such as airworthiness, maintenance, licensing, ATM etc. EAS board members David Roberts and Rudi Schuegraf were panel moderators. Julian Scarfe was a panel member alongside key people from EAS members and subsidiary organisations. These included Roger Hopkinson (President, EFLEVA), Meike Müller (DAeC Gliding section President), Jean-Pierre de Loof (FFVV), Howard Torode (UK BGA), Henrik Svensson (Swedish Soaring Federation), and John Brady (UK LAA). The audience participated with questions and debate in each session.

Don Cameron, the world's leading balloon manufacturer and a pioneer of the new ballooning era from the 1960s, was damning in his indictment of EASA in respect of ballooning. He clearly captured the attention of not only the main audience but also the leading players such as Patrick Ky and Grant Shapps.



There is no doubt that there is a sea change going on at EASA and the Commission, following the publication and endorsement in 2012 of the European GA Safety Strategy, which was followed quickly by the Commission's "GA Roadmap". Patrick Ky is leading this change from the front; this is to be welcomed. His ability to change the embedded culture within EASA may have limits, however, as anyone who has been involved in the management of change in either state organisations or private industry will know only too well. He is aware of this challenge, and following a one-to-one meeting the EAS President had with M. Ky on 24 September it is clear M. Ky is determined, where necessary, to change mind sets and culture within EASA.

*Steve Jones, owner of a significant sailplane agency and maintenance facility in the UK, claimed he was pleased with the impact of Part M because it had put several of his competitors out of business! More seriously, he said that reducing the number of competitors in his business, as a direct result of over-regulation, was not healthy for the long-term survival of gliding.*

Patrick Ky expressed real concern at the number of fatalities in GA in Europe each year - around 200 to 250 - and challenged the sector to improve this statistic. He acknowledged that simply writing regulations does not change the accident rates, but that other tools must be used to influence the outcomes of what are, in the main and in his view, failures in airmanship. A radically different approach is required.

His message was supported by Patrick Gandil, the head of the DGAC (French CAA), who made the oft-repeated observation that GA is not the same as CAT and that a different safety level has to be accepted. He saw the risk hierarchy - developed by EAS's Julian Scarfe for the GA Safety Strategy - as fundamental to the approach required.

Patrick Ky closed the conference with six commitments:

1. **IFR**: Easier access for GA pilots to IFR flying, to improve safety
2. **Pilot Training**: By end of 2018 a third and simple option for pilot training to be developed - outside an ATO
3. **Maintenance**: A Part M "Light"
4. **Technology**: continue development of CS-STAN (Specification for Standard Changes and Standard Repairs) and similar tools to enable introduction of new technologies which contribute to safety
5. **Simpler Certification**: towards a simpler framework for certification of LSA (Light Sports Aircraft) in the short term by increasing support to applicants (workshops, document templates etc); in long term by amending applicable legislation to bring about a radical simplification
6. **Industry Standards**: Build on improvements of CS-23 / Part 23 in other CS or regulations in order for EASA to focus on safety objectives, and delegated preparation of associated standards to industry groups (e.g. ASTM)

Most EAS members will recognise these key points which have long been on the EAS agenda! Patrick Ky also committed to giving a progress report at the next AERO Exhibition at Friedrichshafen on 15-18 April 2015.

We hope that a more comprehensive report of the conference can be constructed and then placed on the EAS website. This depends on EASA producing the transcripts of the event.

The full list of presentations made at the conference can be downloaded from: <http://easa.europa.eu/newsroom-and-events/events/2014-easa-annual-safety-conference>

#### **Comments on the Conference - Rudi Schuegraf**

During the aero exhibition in April 2014, EASA had announced a major change in policy and philosophy towards General Aviation, especially its lower end with recreational and air sports communities. EASA kept the promise to hold a GA Conference in Rome to inform us about the first progress achieved.

It was a well-organised event, less a conference, more a two day workshop. In front of a huge audience a concentrated picture of critique and negative impacts on GA was painted, which was the result of the first ten years of rulemaking and European legislation. Definitely new was the attendance of some Member States' high political representatives. At the beginning of the event they created the impression that a real change in thinking at the political level has taken place. This needs to continue down to the individual staff members of EASA, the European Commission and most important, to all Authorities of the Member States. Hope never dies.



I accepted the task to act as moderator for a group of six experts in the Maintenance panel - one EASA manager (Juan Anton, Maintenance Section Manager) and five stakeholders, from aeroplanes and helicopters and three representatives from the gliding world. All the arguments that EAS has transmitted to EASA since our first Part M conference in 2005 were repeated, but apparently were accepted this time.

The Executive Director in his conclusion and later on the EASA website confirmed that our dream of a "light

Part M" will not remain a dream but should become reality in the near future. We will monitor the process thoroughly and contribute our expertise and experience as much as we can.

Personally, I think it is completely wrong to point fingers at EASA and its staff. They are not the only ones to blame and not alone responsible for the early mistakes in the past twelve years. To create a new Aviation Safety Agency regulating 28 + 4 Member States, starting with zero staff and reaching 700 staff members is a challenging achievement, especially as nobody had much experience of all the national rules. The EU and the Commission is the official legislator, but more important the Member States delegates quite often amend the EASA opinion, which has been developed in close cooperation with the stakeholders, into the wrong direction. We also learned our lessons during those twelve years. At this moment we learn that Europe has lost its momentum due to strong national inputs.

### **Comments - Günter Bertram**

The main points that are still very much in my mind are, first the difficulty of bringing Air Sports as part of GA into the focus of the Conference, followed by the very strong wish of many participants to make the Remotely Piloted Aircraft Systems (RPAS) business happen. The extremely positive attitude of EASA towards this RPAS sector makes me uneasy. While rather small changes in GA issues take ages the timeline for RPAS issues works on month rather than years.

The suggested positive changes are still only promises. The person tasked to handle the job seems to be more concerned about rules and paperwork than getting the process going. His estimated 2017/2018 date is in my opinion unacceptable and needs to be challenged at the head of EASA.

*'Stuck in my memory is the remark of another participant, who wondered that EASA has never managed to say sorry for the terrible mess they have created by transforming JAR and national regulation into EU regulation.'*

## **CRITICAL DECISIONS ON ATOs AND LICENCES AT OCTOBER EASA COMMITTEE**

### **David Roberts assesses the impact of the decision and EAS's role in the change**

At its October meeting, the EASA Committee of member states' representatives voted in favour of an option to defer implementation of the rules for Approved Training Organisations (ATOs) from April 2015 to April 2018. EASA and the European Commission (EC) have indicated that this three year delay will provide the opportunity to reconsider the ATO rules, and to make them "lighter" and more proportionate for private pilot licences (PPL, SPL, BPL, LAPL). Indeed there is a commitment to consider whether there should be an ATO requirement at all for training for private pilot licences.

This change of heart by the regulators came about as a direct result of representations made by EAS over the last few years, but in particular the discussions held with senior European Commission and EASA personnel at the EAS conference in Istanbul in March 2014. The decision accords with EASA's change of approach to the regulation of light aviation, following the acceptance in late 2012 of the European GA Safety Strategy, which was developed from an EAS initiative in early 2012, and EAS's subsequent active participation in developing and drafting the Strategy.

Since the beginning of the process of formulating ATO rules during 2008-09, EAS has argued strongly in favour of either 'no requirement' or at the very least a light requirement for ATOs. After the initial consultation in 2009 EASA responded with a modified proposal that included the 'non-complex' ATO designed for flight training in non-complex aircraft. This is what we have today awaiting implementation. But we think that even these rules are overly and unnecessarily bureaucratic, with many features that do not address any known safety issues.

The October decisions contain the word "may" rather than "shall" in relation to the three year deferment. This means that Member states have the option to delay implementation of ATO rules, rather than the delay being mandatory.

*We do not yet know whether other states intend to delay implementation. Therefore, we request members to inform Rudi Schuegraf ([r.schuegraf@europe-air-sports.org](mailto:r.schuegraf@europe-air-sports.org)) if you get to know of deviations from the three year postponements*

We already know that certain states have decided to delay for three years in order to see what comes out of the further work to be undertaken by EASA. On the other hand at least one state has decided to mandate conversion by April 2016 of 'Registered Facilities' (which were created under the former JAA for aeroplane and helicopter pilot licence training). Licences for sailplanes and balloons were not formally included in the old JAA rules and therefore any requirement for ATOs is a new feature for these activities.

There are several consequences of this radical decision to defer implementation of the ATO rules. Where the member state opts to defer ATO implementation until 2018, it means that, first, training for EU pilot licences will have to continue under the existing arrangements for training for national (non-EU) licences in each member state. It also means, in the case of sailplanes and balloons (for which EU pilot licence implementation was to be April 2015), and for aeroplanes < 2MT or < 4 persons on board, pilots will be allowed to continue flying aircraft that are within the scope of EASA airworthiness regulations, using national licences rather than EU ones.

The amendment will not come into force until April 2015 and the effects are still being worked out in member states, so EAS members are advised to talk with their national aviation authorities to seek clarification.

Whilst the upheaval and to some degree the uncertainty that arises from these decisions is regrettable, nevertheless they represent a tangible success for EAS in persuading the regulators to recognise that rulemaking on the lines adopted since 2002 has not been appropriate. This 'case' illustrates perfectly what EAS has said from the early days of EASA - "take the time to get it right, first time". And "listen to what the real experts - us - say!" It is a great shame that it has taken all this time for some common sense to emerge at EASA, but as the saying goes "better late than never".

The Committee also discussed the latest draft of an Implementing Regulation for the mandatory reporting of occurrences. EAS has had a significant and revising hand in shaping the elements of this Regulation where it applies to aircraft, pilots or operators in our sector. The text will be considered finally in January 2015; EAS will track any changes from the October 2014 version.

### ***Here is a summary of the key points of interest to EAS members***

(These are all subject to each member state's decision about whether to go ahead with the new regulations or whether to wait to see what EASA decides about any changes.)

#### ***Licence Requirements:***

LAPLs, Sailplane, Balloon and some ratings:

The amendment may disapply, until April 2018, the mandatory requirement to hold the following:

- all LAPLs - for aeroplane, helicopter, sailplane and balloon
- the Sailplane Licence (SPL) or Balloon Licence (BPL)
- aerobatic rating, sailplane and banner towing ratings and mountain rating - and associated instructor ratings

There are some changes in privileges for holders of the LAPL (B) and changes in recency requirements for the BPL.

Some of the other transition end dates will not change. The mandatory date for the use of the following Part-FCL licences, ratings and certificates will remain 8 April 2015:

- Airship and powered lift;
- Flight Test Rating;
- Flight Test Instructor;
- Multi Crew Co-operation Instructor for Helicopters.

**RTF to ATO Transition:**

Deferment of ATO requirements for LAPL, PPL, SPL and BPL to 2018, to permit a realistic alternative for private pilot training outside an ATO. Registered Facilities that teach the PPL will now be able to teach the LAPL for the same aircraft category.

**Frequency of audits for ATOs providing private pilot training:**

Reduces the frequency of audits for ATOs involved in LAPL, PPL, SPL and BPL. Permits the audit period to be up to four years but it should be less if there is any indication of poor performance.



*Grob 109  
Touring Motor Glider*

**Designation of any powered sailplane as a Touring Motor Glider:**

Allows the design company of any powered sailplane to choose to have it designated as a Touring Motor Glider (TMG) under Part-21, even if it does not meet the existing definition of a TMG.

**PPL(A) Training in Touring Motor Gliders (TMGs):**

Allows PPL(A) training in aeroplanes or TMGs, which is already allowed for the LAPL(A), or any combination of the two.

The privileges granted to the applicant will be determined by the category of aircraft in which the student passes the skill test, e.g. if the skill test is in a TMG, the licence will be limited to TMGs.

**Maximum Age for Commercial balloon and sailplane flights:**

The maximum age of pilots for commercial balloon and sailplane flights has been raised from 65 to 70.

**Balloon re-qualification – size of balloon:**

The amended rule will allow balloon pilots to re-qualify on the largest Group (envelope capacity range) of balloon they **intend** to fly in the future, which may be much smaller than the **largest** they have ever flown – which was the case before the amendment.

**Revalidation requirements including seaplanes:**

Improvement of revalidation requirements, including seaplanes. The rule now specifies that, where applicants hold both single-engine piston aeroplane-land class rating and a single-engine piston aeroplane-sea class rating, then at least one hour of the required six hours PIC time and six of the required twelve take-offs and landings shall be completed in each class.

**Training in twins credited for single engine En Route IR (EIR)**

Allows training for EIR in a twin-engine aeroplane to be credited for Single-Engine EIR.

**Credits for Instructor Ratings:**

Allows credits for similar types for aircraft ratings to apply also for instructor ratings.

***Revalidation Examiner:***

Allows authorised instructors to sign licences to revalidate SEP and TMG ratings by experience.

***Examination where examiner has also acted as an instructor:***

Allows an examiner to test a student he has instructed, subject to some restrictions.

***Flying of EU-Registered Prototypes by Pilots from non-EU authorities:***

Amends the validation provisions to add the means to allow test pilots from non-EU authorities - such as the FAA - to fly EU-registered prototypes.

***Acceptance of third country licences for competition and display flights:***

For competition flights and display flights, Member States may accept a licence issued by a third country, allowing the holder to exercise the privileges of a PPL, SPL or BPL, subject to some requirements to manage any flight-associated risk and for the pilot to hold an appropriate licence and medical certificate and associated ratings or qualification.

In addition:

A simplified route for short-term validation of non-EU private licences for purposes other than competitions and air displays, not exceeding a cumulative total of 28 days in any calendar year, subject to an acclimatisation flight.

The deadline for the validity of third country pilot licences has been postponed until April 2016 in order to allow completion of the US-EU BASA (Bi-lateral Aviation Safety Agreement).

***Upset Prevention and Recovery Training:***

Various changes to delay the requirements for Upset Prevention and Recovery Training until April 2018.

***Medical assessments:***

Protocols for acceptance of new medical technology, medications or procedures, in order to reach a 'fit' assessment for a pilot.

## **ALL CHANGE AT THE TOP - NEW EUROPEAN COMMISSION AND DIRECTOR FOR AIR TRANSPORT**

### **Timo Schubert brings us up to date**



Following five months of negotiations, hearings and political deal-making the new European Commission ("The College of Commissioners") started its five year term on 1 November. Jean-Claude Juncker (Conservative, Luxembourg), the new President of the European Commission, has come forward with significant changes to the way the political top of the Commission will be organised. In addition to 20 Commissioners there are a First Vice-President and five Vice-Presidents, overseeing the work of the Commissioners. This is expected to strengthen the role of the Commission President, who has embarked on a mission for jobs and growth in the EU.

Of particular importance to EAS is the Directorate General (ministry) in charge of Transport (DG MOVE). It will be headed by Slovenian Commissioner Violeta Bulc, who was re-nominated and approved after the initial Slovenian candidate had been rejected by the European Parliament. Ms Bulc will report to Vice-President Maroš Šefčovič (Slovakia), the initial candidate for Transport Commissioner. In the coming weeks Ms Bulc is expected to announce who will be working in her personal cabinet of advisers, including a person responsible for the EU's aviation policy.





In a parallel but related development there has also been an important change at the Commission's Air Transport Directorate. Matthew Baldwin, who has been a regular contact for EAS, has left DG MOVE, in order to head the cabinet of the new UK Commissioner, Jonathan Hill. His successor is Margus Rahouja the previous Head of Cabinet of outgoing Transport Commissioner Siim Kallas. Mr Rahouja has extensive experience in the field of aviation policy and has Estonian nationality. EAS will request a meeting with Mr Rahouja in the near future in order to maintain the good relationship with DG MOVE at this high political level.

Detailed information about the new Commissioners can be viewed by [clicking here](#).

## KEY CONTACTS

President	David Roberts	<a href="mailto:d.roberts@europe-air-sports.org">d.roberts@europe-air-sports.org</a>
General Secretary – central EAS management & administration	Pierre Leonard	<a href="mailto:p.leonard@europe-air-sports.org">p.leonard@europe-air-sports.org</a>
Programme Manager and regulatory work	René Meier	<a href="mailto:r.meier@europe-air-sports.org">r.meier@europe-air-sports.org</a> +41 79 333 63 93 Skype meierswitzerland
Newsletter Editor	Diana King	<a href="mailto:d.king@europe-air-sports.org">d.king@europe-air-sports.org</a>

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