



AUGUST 2016



Dave Phipps and Julian Scarfe travelling in style to the Unmanned Aircraft Stakeholders Workshop (photo Dave Phipps)

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PART M TASK FORCE PHASE 2 OR "PART M LIGHT" – an update from Rudi Schuegraf

In the last newsletter we informed you in detail about the content of the EASA opinion 5/2016, the phase two work of the Part M Task Force. The following link allows you to download the documents direct from the EASA website:

<http://www.easa.europa.eu/document-library/opinions/opinion-052016>

This Opinion proposes a 'light Part-M' (Part-ML) with requirements proportional to the much lower complexity and associated risks of the lighter end of the General Aviation (GA) community, and as clear and simple as possible in order to facilitate implementation.

Part-ML proposes alleviations for aircraft maintenance programmes (AMPs), airworthiness reviews and deferment of defects. It applies to certain types of aircraft provided they are:

- not listed in the air operator certificate (AOC) of an air carrier licensed in accordance with Regulation (EC) No 1008/2008; and
- not classified as complex motor-powered aircraft.

The aircraft covered are:

- aeroplanes of 2,730 kg maximum take-off mass (MTOM) or less;
- rotorcraft of 1,200 kg MTOM or less, certified for a maximum of up to 4 occupants; and
- other ELA2 aircraft.

This means that all sailplanes and balloons are covered by this Part-ML.

The amendment was first discussed in the EASA Committee at the end of June. Member States were requested to comment by August. It is hoped that the EASA Committee will vote as early as possible on Part M light during the last meeting in October 2016. The Part M light could then become effective in early summer 2017. We will keep you informed.

Definitions

Aeroplane – fixed wing powered aircraft

Rotorcraft – helicopter or gyrocopter

ELA2 – European Light Aircraft, which is:

a) an aeroplane with a Maximum Take-off Mass (MTOM) of 2,000 kg or less that is not classified as complex motor-powered aircraft;

(b) a sailplane or powered sailplane of 2,000 kg MTOM or less;

(c) a balloon;

(d) a Very Light Rotorcraft with a MTOM not exceeding 600 kg which is of a simple design, designed to carry not more than two occupants, not powered by turbine and/or rocket engines; restricted to VFR day operations.

SURVEILLANCE PERFORMANCE AND INTEROPERABILITY (SPI) REGULATIONS (Carriage of transponders or similar equipment) - Michel Rocca reports from Brussels

At the request of Airbus and some other stakeholders who have met some difficulties in implementing the SPI regulation (i.e. 1207/2011), DG MOVE recently agreed to open the discussion on a possible second amendment.

Let me remind you that this regulation deals with Mode S (elementary and enhanced) and ADS-B carriage - I mean mandatory carriage for some aircraft at some fixed dates.

The discussion is about the requirement expressed by a figure laid down in the SPI regulation on one side and by another figure laid down in the CS-ACNS on the other side. The CS-ACNS issued by EASA is somehow contradicting the SPI regulation issued by the Commission. So, the alignment is actually about having the same requirement expressed by the same figure in these two texts.

So, on 14 July I attended a new SPI workshop organised by DG MOVE to discuss the compliance issues and a possible way forward.

A broad consensus came to light on:

- what technical issues are related to the implementation of the regulation (reference made to the draft EASA report - May 2016);
- what might be the preferred option to be presented at the next Single Sky Committee in October.

The conclusion of the workshop is three-fold:

- the CS-ACNS* will be aligned with the SPI Annex by end of summer (i.e. to satisfy the continuity requirement);
- the SPI regulation will be amended before the end of this year in such a way that all the deadlines will be postponed until 7 June 2020 (for airspace users);
- the RMT*.0469 - where EAS is represented - will continue to prepare a NPA to be published by summer 2017.

We will keep you advised of the effective entry into force of these measures.

* Certification Specification - Airborne Communications, Navigation and Surveillance

* Rule-Making Task

THE EUROPEAN AVIATION SAFETY PLAN - Rudi Schuegraf explains

ICAO mandates contracting states to develop and implement a State Safety Plan (SSP).

The sharing of roles between the EU and the Member States, as described in the EASA Basic Regulation, makes it necessary for the Member States to work together with EASA to fully implement the SSP. Production of an EU equivalent of an SSP (i.e. the EASP) is a more efficient means of discharging this obligation and would support the EU Member and associated States in developing their own SSPs.

The approach proposed by EASA for European aviation safety is based on three elements:

- A set of policies and objectives from political authorities (*the strategy*). The strategic elements are spelled out by the European Commission in a Communication to the Council and the European Parliament. To download the communication click [here](#).
- An integrated set of regulations and activities aimed at improving safety (*the programme*). The European Aviation Safety Programme (EASP) conforms to the ICAO SSP framework.
- A high level safety issues assessment and related action plan (*the safety plan*). The Safety Plan, now called European Plan for Aviation Safety (EPAS), which is updated every year. At the moment the latest edition is valid for the years 2016 to 2020:

5th edition, EPAS 2016-2020;

Annex A - EPAS Status Report - 2014

Annex B - EPAS implementation in the States - 2014

Annex C - SSP Phase Implementation Survey Results - 2014

All the documents can be downloaded from the EASA website:

<https://www.easa.europa.eu/easa-and-you/safety-management/safety-management-system/sms-europe>

AN UPDATE ON UNMANNED AIRCRAFT – by Dave Phipps, EAS Technical Officer on unmanned aircraft

Following on from my report in the April Newsletter, there has been quite a lot of activity on the regulatory front in terms of Unmanned Aircraft.

EASA has committed to producing 'prototype' rules for the regulation of unmanned aircraft falling within the Open and Specific categories by the end of July. The proposed rules are said to be 'tentative' and will be presented to generate debate.

As part of the process, EASA put in place two task forces, the first to consider geo-fencing and the second to consider the likely effects of a collision between a 'drone' and a manned aircraft. EAS submitted input to the geo-fencing task force, prepared jointly with Suzanne Schödel, the FAI Secretary General and Antonis Papadopoulos, President of the FAI's aeromodelling commission (CIAM).

EAS has also provided some input direct to EASA in terms of the small number of historical collisions between model aircraft and manned aircraft.

Unmanned Aircraft Stakeholders Workshop – 20th June

Both EAS and the FAI were invited to attend EASA's workshop for 'Unmanned Aircraft Stakeholders' which was held at their headquarters in Cologne.

I had the great pleasure of flying over to Cologne with Julian Scarfe in his Twin Commanche where we were joined by Suzanne Schödel. Together, we represented an estimated 750,000 aeromodellers at the workshop. There were over a hundred delegates at the workshop including representatives from several national aviation authorities and a range of commercial interests.



A well-earned break between meetings (photo Dave Phipps)

The programme included a presentation on 'Industry views on the Operation Centric Approach', presentations on the EASA prototype rules, the EASA Task Forces and an update from JARUS (Joint Authorities for Rulemaking on Unmanned Systems). The day concluded with a session on 'Kickstarting the industry standards'.

The entire focus of the workshop was on commercially operated drones and the rush to develop regulations and standards for them. There appeared to be no consideration whatsoever given to the 750,000 established operators of small unmanned aircraft within aeromodelling and Suzanne, Julian and I were able to make some useful input into the discussions. However, it is perhaps a shame that the workshop did not provide an opportunity for us to give a formal presentation to outline and explain aeromodelling and make the delegates aware that this is not solely about commercial operation.

Prior to attending the workshop, my concern was that EASA was rushing to create regulations focussed primarily on the commercial operation of drones in the absence of any real understanding or consideration of the biggest air sport. The workshop did nothing to allay my concern.

Meeting with Yves Morier – 21st June

As reported last time, Yves Morier had invited us to meet with him directly to discuss aeromodelling and the meeting was arranged for the day after the stakeholder workshop.

I attended the meeting with Suzanne Schödel and Julian Scarfe and we had the opportunity to brief Yves and his team on Aeromodelling and share our concerns that the interests of the aeromodelling community (and the wider air sport community for that matter) were not being given adequate consideration by EASA in the rush to regulate drones.

It remains to be seen whether our comments have been taken on board and we keenly await the publication of the 'prototype rules'.

QUICK INFORMATION – ECAST AND EGAST CLOSE DOWN

Rudi Schuegraf, Senior Vice-President Europe Air Sports

The European Commercial Airtransport Safety Team (ECAST) closed on 22 March 2016, following an ECAST Special Meeting, when the team decided to discontinue the initiative after 10 years of operation.

ECAST activities are transferred to the new Safety Risk Management (SRM) process for Europe and its various teams. These are:

- the Collaborative Analysis Group (CAG) for safety analysis and risk assessment; and
- the forthcoming Stakeholder Advisory Body (SAB), the Member States Advisory Body (MAB) and their Technical Bodies for reviewing priorities and launching Safety Promotion Tasks (SPTs).

Similarly, the European General Aviation Safety Team (EGAST) closed on 20 April 2016 after more than 10 years providing safety initiatives to EASA. Europe Air Sports was one of the key members of the team.

The EGAST functions are reallocated to the Collaborative Analysis Groups (CAGs) GA, the Technical Bodies (TeB) and Stakeholder Technical Body (SteB GA).

NOTICE OF PROPOSED AMENDMENT NPA 2016-05, REORGANISATION OF CERTIFICATIONS SPECIFICATIONS CS-23 OPEN FOR CONSULTATION

This NPA proposes a reorganisation CS-23, Certification Specifications for Normal, Utility, Aerobatic, and Commuter Category Aeroplanes. We may submit comments until 23 September 2016, the relevant Agency decision will published in the 4th quarter of this year. René Meier reports:

Through the reorganisation of the current CS-23 a new concept will be introduced: The Agency's certification specifications will be replaced by design-independent objective requirements. Towards the end of the work of the Rulemaking Group it was found that such objective requirements will become suitable for current CS-VLA aeroplanes as well, because of their higher level of abstraction. Probably this comes as a surprise, but it is a fact that the proposed new CS-23 are intended to replace CS-VLA.

In the Executive Summary of the NPA, the Agency writes "Acceptable means of compliance (AMC) will capture the technical details and, when applicable, provide differentiation for the variety of aeroplane designs within the scope of CS-23 and CS-VLA. The proposed AMC in this NPA contain a set of draft consensus standards that EASA proposes to accept to demonstrate compliance with these objective rules".

The members of the Rulemaking Group are convinced that the use of consensus standards as AMC will allow for a faster adoption



This picture of the "Smartflyer" shows an impression of the four-seater touring aircraft that will be built in Switzerland, according to CS-23. The project headquarters are at Grenchen, where a motivated team of pilots from the CAT world, from the military rotary wing community and highly qualified engineers, have recently started this project. The aircraft will be electrically powered, equipped with batteries and with a range-extender. First flight is planned in 2020.

Report by René Meier, a member of the project Board

of new technologies and better up-to-date standards. This improved flexibility is intended to encourage the introduction of safety-enhancing features and to reduce certification costs for these types of aeroplanes. We particularly think of rescue systems for light aircraft. Amendments of such consensus standards will be accepted by EASA as long as appropriate rulemaking processes are respected.

At the same time as this European development, the US Federal Aviation Administration (FAA) published Notice of Proposed Rulemaking (NPRM) 16-01 for the restructuring of Part 23 a few weeks ago. At Rulemaking Group level we have been observing and cooperating in this restructuring. From the early days of the Aviation Rulemaking Committee (ARC), we have had common meetings and regular exchanges of opinions and ideas. The Agency as a whole strongly supports the initiative that is aiming to change the airworthiness requirements, in a way that supports General Aviation development and innovation on both sides of the Atlantic. It is believed and clearly expressed by stakeholders in Europe and the US, that this kind of harmonisation is vital for a global success.

This new concept was explained in spring 2015 in a consultation in Advance Notice of Proposed Amendment (A-NPA) 2015-06. NPA 2016-05 considers the feedback that the Agency received as a result of that consultation.

The proposals for the reorganised CS-23 presented in today's NPA reflects EASA's current position, which is for various reasons not fully in line with the FAA NPRM. As harmonisation is the most important goal of this Rulemaking Task RMT.0498, we are particularly invited to comment on the differences between this NPA and the FAA NPRM.

Strikingly new is the fact that we managed to replace our beloved term "piston engine" by "powerplant", the "fuel tanks and lines" by "energy storage and supply" to mention just two new elements. We opened the door widely for new propulsion technologies, quite a bit of pioneering spirit, I guess. For further information do not hesitate to get in touch with René Meier, the Programme Manager, who is a member of the Rulemaking Group working on RMT.0498.

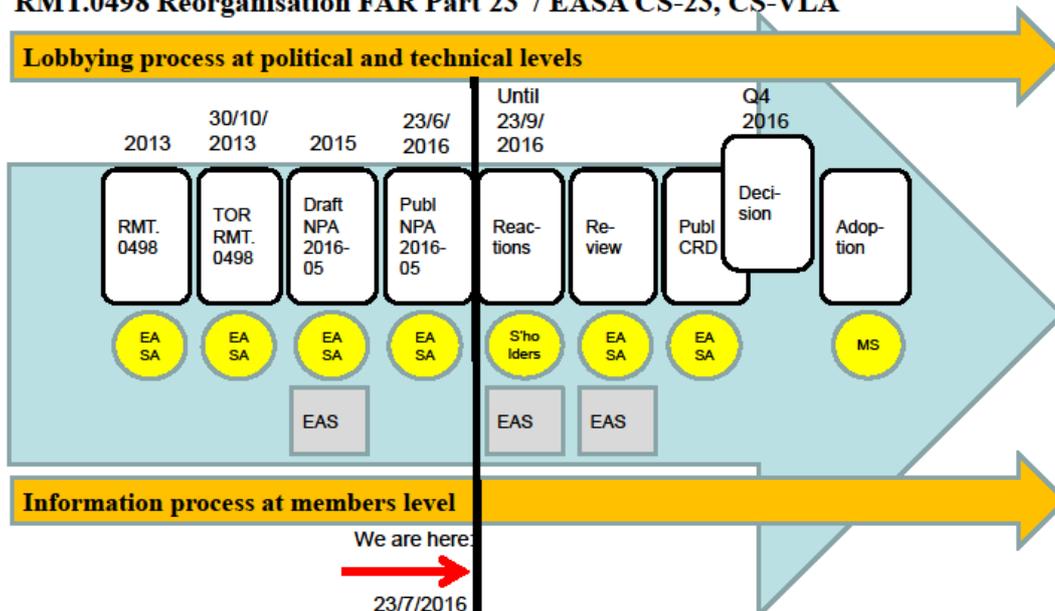


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Europe Air Sports Programme Manager, July 2016
"Story line"

Comment period
ends on 23/9/2016

RMT.0498 Reorganisation FAR Part 23 / EASA CS-23, CS-VLA



PER WISTISEN



We are sad to report that Per Wistisen passed away on 18 August, having suffered from cancer since the spring. Per was elected as the representative of the NACs to the EAS board in 2005 and he subsequently served as EAS Treasurer for several years.

A full obituary will appear in the next newsletter.

KEY CONTACTS

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

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