



NOVEMBER 2018



David Roberts receiving the FAI Silver Medal from FAI President Frits Brink. The award was made for David’s major involvement in FAI and the Air Sports community throughout Europe, as a vital contributor to the development of European Regulations, ensuring representation for the interests of the European Air Sports Community at the highest level.

David commented “this award is not only for me, but for all of you involved in EAS matters”.

For a change we have several optimistic articles in this issue – read on to see more details of the EASA Safety Conference and of improvements for pilots of sailplanes and Annex 1 aircraft. But there is also concern among model flyers; Dave Phipps explains on page 3.

Following the replies to our survey, we are again showing abbreviations and their explanations in full and in green, so that you can more easily find the full meaning of the abbreviations.

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EASA ANNUAL SAFETY CONFERENCE

"Our organisation was pretty well represented and listened to at the 2018 EASA Annual Safety Conference", *reports Michel Rocca*.

In 2014, the motto of the conference was "Towards simpler, lighter, better rules for General Aviation". This year, the motto of the conference was: "EASA to play the connecting role to tackle the future for safer, simpler and cheaper General Aviation!"

We can say that recreational and sports enthusiasts were given a great opportunity to show the wide variety of our community, to acknowledge what parts of GA Roadmap 1.0 have been achieved, to point out the strengths and weaknesses of our relationship with EASA and the European Commission and to anticipate the upcoming challenges.

We can also say that the future as evoked by André Borschberg, one of the Solar Impulse pilots, and other speakers is inspiring and promising but far out of our reach. From the GA fleet of today (on average 47 years old) to future aircraft allowing autonomous flight will represent a "giant leap".

New technologies? A lot is expected from them. Of course, innovation is and will remain paramount in all activities: sharing the airspace, making the development sustainable, increasing flexibility and safety.

New business models? Grant Shapps made a good summary: cost sharing platforms, urban air mobility with VTOLs (Vertical Take-off and Landing) aircraft, SET (Single Engine Turbine) operations making intensive use of GPS (Global Positioning System) approaches. Luc Tytgat recalled that the risks related to all these new activities will have to be assessed.

New visions for GA? All panellists presented views for a short term future, rather in line with our views. We could regret that no commitment was made by the audience this time. The one-pager delivered in Rome was a great success. Despite that, the conference was obviously a good start for the next four years. But this is not enough.

Now let's meet and work together to build the GA Roadmap 2.0, hopefully based on the "key priorities for Europe Air Sports" (please refer to our [paper](#) dated 21/09/2018).

CREDITING OF HOURS FLOWN ON ANNEX I AIRCRAFT - LIGHT AT THE END OF THE TUNNEL? *Rudi Schuegraf, Senior EAS Vice-President, brings us up to date*

For more than five years Europe Air Sports lobbied and actively cooperated with EASA to get clarification on the crediting of hours flown on aircraft which, under Annex I (former Annex II), were not regulated by the European regulatory system. Some Member States (MS) like Germany allow EASA licence holders to operate Annex I aeroplanes, except microlights, and credit those hours towards the requirements of Part FCL (Flight crew licensing). Other Member States require a separate national licence. The introduction of a common regulation was rejected in 2015 by a majority of Member States on legal grounds.

Eurostar (Evektor-Aerotechnik)



EAS re-initiated the discussion last year. EASA and the Member States this time supported the case and in July 2018 a small group of MS representatives and EAS started to draft the necessary amendments to the EASA Opinion 06/2015. During a focused consultation in October, EASA introduced the result to the majority of MS authorities who accepted and agreed to the text of the amendments. These clarify and allow the use of aircraft covered in Annex I a-d of the new Basic Regulation for

- Flight Instruction,
- Checking and Testing and
- Crediting of hours flown on all Annex I aeroplanes.

For the crediting issue an **acceptable means of compliance (AMC)** was drafted and endorsed which says:

All hours flown on any aeroplane registered in an ICAO Contracting State shall count in full towards fulfilling the hourly requirements of this Part as long as the aircraft matches the definition and criteria of the respective Part-FCL aircraft category as well as its class and type ratings.

This time EASA publically confirmed that aeroplanes called three axis microlights also fall under this AMC.

But but, before the amendments come into force, the legal services will scan the proposal, hopefully without changing the main content. The intention is that the EASA Committee will discuss and vote positively in February 2019, to have the regulation published in summer before the new parliament is elected. **This means that some uncertainty remains and pilots cannot rely on this AMC before the regulation has been formally published.**

We will keep you up-to-date about further proceedings. Please be patient. The complete EASA presentation can be downloaded from [here](#).

UPDATE ON REGULATIONS FOR UNMANNED AIRCRAFT from David Phipps, EAS Technical Officer for Unmanned Aircraft

The latest draft of the regulations for unmanned aircraft was published on the 5th October for feedback.

Following a proposal from **DG MOVE** (the **EU Directorate-General for Mobility and Transport**), the latest text states that *'it is not necessary to adopt particular provisions for recreational flight activities conducted within the framework of model aircraft clubs and associations'*.

As such, the dedicated provisions, which we have spent the last two years negotiating with EASA, have been removed from the draft regulations. The only provision for model flying within clubs/associations is Article 16, which says that *'a competent authority may issue a model club/association with an operational authorisation in accordance with relevant national rules'* (the authorisation being limited to the Member State in which it was issued).

Essentially, this places model flying conducted within the framework of model aircraft clubs and associations under national rather than EASA regulations.

However, model flying conducted outside of clubs/associations does remain within the scope of EASA regulations and will fall within the 'Open Category' which imposes requirements for registration and proof of competency on the operator, as well as a default age limit of 18 years. We have told **DG MOVE** that this age restriction is likely to present a barrier to participation, is disproportionate and not based on any genuine analysis of the risk.



Model aircraft slope soaring (Photograph Invicta Model Flying Club)

The 'Open Category' defined in the current draft of the regulations also imposes a height limit of 120m above the surface. This has received a large response from model flyers operating slope soaring gliders. We have pointed out that for this type of model, any restriction should be measured as a height above the point of launch rather than the surface (otherwise as you fly away from the slope, you also have to descend).

The other option for model flying within the draft regulations is to use dedicated 'zones' which can be defined by the Member State and gives the possibility to vary/exempt requirements of the 'Open Category' within the zone.

The feedback period on the draft regulations closed on the 5th November and we await publication of the next revision of the text, which is likely to be presented as the final version.

U-SPACE- CAUSE FOR CONCERN? *A report from our Programme Manager*

The drone industry is projecting that large numbers of drones will in the future want to fly in the Very Low Level airspace up to 150 meters above ground, mostly on commercial missions. To enable this, a concept called U-Space is being developed. Broadly, U-Space is an automated [air traffic management system for unmanned aircraft \(UTM\)](#).

However, this is an airspace that sports and general aviation (GA) aircraft frequently visit today. To address the safety risks caused by the increased traffic, initial drafts for U-Space contain several areas that might in the future cause additional burdens for sports and general aviation (GA). For example, according to initial drafts,

- restricted areas for manned aviation might be set up at very short notice.
- flight planning and communication with ATC might become necessary in areas which today are in uncontrolled airspace.
- equipment for electronic conspicuity (sometimes called collaborative detection) might be required.

Europe Air Sports is taking steps to increase awareness of these developments and act to safeguard the interests of sports and general aviation, including model flying.

A NEW DAWN FOR SAILPLANE PILOTS – *Patrick Naegeli, President of European Gliding Union, reports*

If all goes according to plan, 2019 should mark a significant turning point in the EASA regulation of sailplane activities.



Patrick Naegeli finishing a competition flight in his ASG29 (Ron Smith)

During the EASA Committee meeting in February 2019, we expect the new [sailplane flight crew licensing \(SFCL\)](#) rules to be put to a vote. If the new SFCL rules are accepted then, along with the recently approved Sailplane Operations rules, the creation of a new 'Sailplane Rulebook/Part-Gliding'

will be complete. All direct sailplane rules will be in one place and will come into force by April 2021. Taken together with the recent revisions to the Basic Regulation and the rules governing training organisations, the Sailplane Rulebook provides much more workable and relevant provisions for sailplane activities than EASA's original, fundamentally flawed regulations.

There are many changes between the new and the old rules. Far more than we could summarise here. For example:

- the new rules provide for a single [Sailplane Pilot's Licence \(SPL\)](#), and so permit pilots greater flexibility in aligning licence privileges with the medical that they hold - rather than requiring them to move between the old SPL and [LAPL\(S\) \(Light Aircraft Pilot's Licence \(Sailplanes\)\)](#);
- the Sailplane Examiner's role has been redefined to better meet the realities and needs of the gliding community - instructors will be able to do more of the issuing and renewal of licence privileges within clubs;
- touring motor gliders are now included as an integral part of the sailplane system, rather than a carry-over from the power flying world as it has been.

Is the new Sailplane Rulebook perfect? Probably not. The EGU would have liked to embed a greater emphasis on the use of output standards, and less use of specific quantitative

criteria in the rules, to make sure that gliding training and operation is carried out effectively and safely. We have, however, had to balance our own knowledge and understanding of gliding with the need for ICAO compliance and the demands of national aviation associations. On balance, it is a great improvement.

That these changes could be made were largely the result of a great deal of work across the EASA and European gliding communities, together with support from EAS.

Of course, it is not yet a done deal. But, as I said, "If all goes according to plan".

FROM THE PROGRAMME MANAGER'S DESK *outlined by Nils Rostedt*

Regulatory Consultations responded to since September:

- EASA NPA (Notice of Proposed Amendment) 2018-06 All Weather operations
- EASA Special Condition for small VTOL (Vertical Take-off and Landing) aircraft
- Commission consultation on drone operations (together with our drone expert David Phipps and Brussels regulatory expert Timo Schubert)
- Focused consultations on Sailplanes and Balloons as well as Part-21 Reorganisation

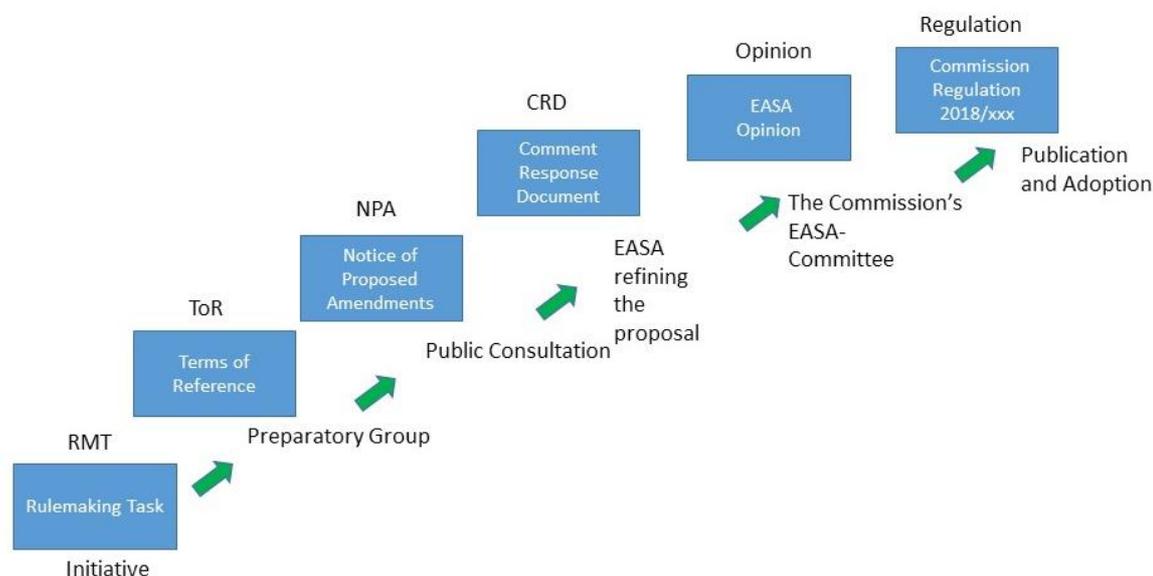
In addition I had the privilege of visiting the EASA GA Safety Conference in Vienna, and also met with the Nordic National Aeroclubs' General Secretaries on their annual meeting in my home town Helsinki.

RULEMAKING EXPLAINED BY EAS PROGRAMME MANAGER NILS ROSTEDT

PART 2

In this issue we look at how a typical EASA Implementation Rule is born.

The EASA Rulemaking procedure



RULEMAKING TASK AND TERMS OF REFERENCE

Anyone can propose a new piece of legislation to EASA. The Agency checks if it matches the priorities of the current Rulemaking Programme. If OK, it becomes a project and gets a **Rulemaking Task (RMT)** number. A **Terms of Reference** document (ToR) is written with a definition of the project and its scope. A timeplan is also included. A working group is set up and starts drafting the rule.

NOTICE OF PROPOSED AMENDMENT (NPA)

This is perhaps the most important step during each rulemaking task. In the NPA document the proposed new rule is described in detail. The NPA is published and a public consultation is opened (approx. 1-3 months). Anyone can submit their comments and proposals for change, using the special web-based [Comment Response Tool \(CRT\)](#) which EASA has created for this purpose.

COMMENT RESPONSE DOCUMENT (CRD)

After the NPA consultation, EASA reviews all received comments and publishes a [CRD](#) document. The format of this paper can vary, but typically it includes a summary of the received comments to the [NPA](#) and sometimes a revised proposal of the rule's text.

EASA OPINION

The [CRD](#) is further refined within EASA and its working groups. The outcome of this process is the Agency's final revision of the rule's text, called "EASA Opinion" and is delivered to the Commission, which turns it into a draft regulation.

Now our new rule is almost done. But one important step remains - "Comitology", or approval by the "EASA Committee", where the EU Member States have their say about the new rule. Also, the European Parliament has an opportunity to reject the rule, but cannot make changes at this stage. After this approval the draft rule still goes to the Commission's lawyers, who check that it conforms with the legal requirements that all EU legislation must fulfil. It is also translated into the 24 official EU languages.

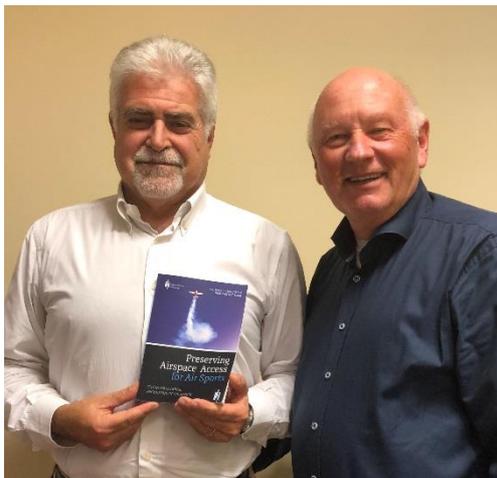
ADOPTION

The final step of our brand new rule is publishing in the [EU Official Journal \(OJ\)](#). At this point it gets a number (such as (EU) 2018/1142 for continuing airworthiness). The new rule becomes law on the 20th day after its publication in the [OJ](#). However, normally the new rule also specifies Dates of Application for the new provisions. These transition periods may span several months or even years, to give us time to prepare for whatever the new rule brings with it.

Congratulations! Now you know how those EASA rules are created! And maybe you want to have your say in some of the [NPA](#) consultations that are active!

In the next issue, we'll have a look at how Europe Air Sports and its experts work every day to make sports and recreational aviation rules simpler, better and lighter for the benefit of its membership.

AIRSPACE NEWS



A new FAI Manifesto, calling on the International Civil Aviation Organisation to ensure continued airspace access for air sports, was approved by the FAI General Conference recently. Conceived by Ronald Schnitker, President of the Royal Dutch Aviation Association, the Manifesto aims to protect the right of all air sports enthusiasts to continue practising their sport.

Signed by FAI President Frits Brink on behalf of the Conference, it urges all FAI Members to take steps to preserve airspace access for air sports at both national and international levels.

Click [here](#) for more details.

Ronald Schnitker has also written a book on this topic and recently presented a copy to the President of Europe Air Sports, Andrea Anesini.

EUROPEAN AVIATION SUMMIT 2018: UP TO THE NEXT LEVEL

Andrea Anesini, and Manfred Kunschitz of the EAS Board attended this event and concluded that it was well worth attending. Timo Schubert also attended and comments: "While the focus was clearly on Commercial Air Transport (and that without any surprise) we were able to see and be seen by the key decision makers at EU level, and also by the relevant representatives from countries including Austria and Italy. During the conference we were able to have a chat with Filip Cornelis, Director for Aviation at **DG MOVE** (the **EU Directorate-General for Mobility and Transport**), and we agreed to meet him with an EAS delegation in Brussels as soon as possible in the coming months. Furthermore, we were able to get close to Austria's Minister for Transport, who happens to be an air sports enthusiast and who would make a good ally on the 600 kg opt-out."

The conference was also a good opportunity to get a good impression of the broader picture of the EU's aviation policy. Against this background EAS continues to get attention and successes at the political and technical level.



Some of the delegates at the Summit, including EAS President Andrea Anesini (front row)

EUROPE AIR SPORTS GENERAL CONFERENCE 2019

The 2019 EAS General Conference will be held on Friday 22 to Sunday 24 March in Lisbon. The outline plan is: Friday arrival and social programme; Saturday 09:00 - 17:00: presentations and discussions; Sunday 09:00 - 12:00 EAS Annual General Meeting. Further details will be published when available (probably January).

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/>

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