



## DECEMBER 2019



*Winter soaring on the border between England and Wales, with the Welsh mountains in the distance  
(Photo: Simon Hodges)*

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### **OCCURRENCE REPORTING - REMINDER**

#### ***Public Consultation on the Evaluation of Regulation (EU) No 376/2014 on the reporting, analysis and follow-up of occurrences in civil aviation***

In 2012, the [European Commission \(EC\)](#) decided to extend the original regulation of 2003, which was tailored to the needs and risks of Commercial Air Transport, to all aviation, including private pilots and private flights on light aircraft.

This was the wrong tool for a good idea.

It was a good idea to collect more occurrences from the light aircraft domain and to get better and quicker lessons. Several air sport federations had already implemented this successfully, on a fully voluntary base. Unfortunately their experiences were ignored, but eventually EAS obtained a reasonable list of occurrences that were required to be reported. Annex II aircraft were excluded from the regulation.

In the EC's view, the system should promote a 'safety culture', facilitating the spontaneous reporting of occurrences, which would advance the principle of a 'just culture'.

In 2019, the EC has launched a survey to assess whether the specific objectives of Regulation (EU) 376/2014, to improve aviation safety, have been achieved. EAS is very interested to collect its members' opinions on the outcomes of this regulation. In particular, has the Regulation been used as leverage towards a safety culture, or have the strict bureaucratic requirements discouraged small organisations from participating?

Please can we remind you to answer the EC's survey, which is relevant to all private pilots. Please also send a copy and any additional comments to our Programme Manager Nils at [n.rostedt@europe-air-sports.org](mailto:n.rostedt@europe-air-sports.org).

You can find the survey in the English language at [https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2019-2774573/public-consultation\\_en](https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2019-2774573/public-consultation_en). If you would like it in your own language, please replace the last two letters of this address with your own national two letters (e.g. NL, PT, IT, FR etc)

Thank you in advance.

**Jean-Pierre Delmas**

## **EASIER ACCESS FOR GENERAL AVIATION PILOTS TO INSTRUMENT FLIGHT RULES (IFR) FLYING and REVISION OF BALLOON AND SAILPLANE LICENSING REQUIREMENTS (PART-FCL)**

### ***Patrick Pauwels summarises the new Commission Implementing Regulation***

During the EASA Committee Meeting of last October, the 'Draft Commission Implementing Regulation on easier access for general aviation pilots to instrument flight rules (IFR) flying, and revision of balloon and sailplane licensing requirements (Part-FCL)' was finally discussed and voted. (FCL – Flight Crew Licensing)

The process of reviewing the FCL Regulation started a few years ago as a follow up of the GA (General Aviation) Roadmap, set up during the first EASA Safety Conference. Several working parties were set up. Thanks to the effort of a dedicated group of volunteers (EAS, European Gliding Union and European Balloon Federation), in cooperation with EASA staff and some member states representatives, a final EASA Opinion was published.



*Balloons at Burgdorf for the 2016 Swiss Hot Air Balloon Championship*

The Committee discussed this Opinion in June and after some changes and adjustments, the final versions of three new Implementing Rules were adopted during the October meeting:

- Implementing Regulation on basic instruments rating (Part BIR)
- Implementing Regulations on FCL for balloons (Part B-FCL)
- Implementing Regulations on FCL for sailplanes (Part S-FCL).

For balloons and sailplanes, these new rules will apply from 8 April 2020 with a transition period of 12 months to full compliance by all Member States on 8 April 2021.

These regulations include provisions for the transfer of existing national licences and medicals, credits for training started under the old rules and for training organisations.

The official publications are in process and are awaited in the coming weeks. The proposals of the linked [AMC/GM \(Acceptable Means of Compliance/Guidance Material\)](#) will be discussed by a Working Party next January.

This is another big step to bring the rules back to our working level.

EAS will keep your organisations informed.

## **EAS DEFENDS INTERESTS OF MEMBERS AT AMSTERDAM DRONES WEEK**

On 3-6 December EAS participated in Amsterdam Drones Week and attended the U-Space Demonstrators' Network as well as EASA's High Level Conference. This continued our

efforts to look after the interests of members regarding the integration of civil drones into airspace. Timo Schubert, EU Policy Adviser to EAS, took part in a panel debate chaired by Filip Cornelis, Director for Air Transport of the European Commission's DG MOVE, and attended by representatives from EASA, Wing, DFS, and Unifly. During his intervention, Timo stressed the wide range of our flying activities (many of which are non-motorised) affected by drones. Based on the EAS position paper on U-Space he insisted that four principles have to be met regarding access of manned-aviation to U-Space. It has to be safe, simple, free and technologically feasible.



insisted that four principles have to be met regarding access of manned-aviation to U-Space. It has to be safe, simple, free and technologically feasible.

The High Level Conference considered many aspects of drone operations in Europe and considered challenges as well as opportunities. From the perspective of sports and recreational aviation the greatest opportunities were identified in the field of innovation, e.g. the arrival of safer, better and cleaner aircraft. However, challenges are also on the horizon, considering the EU's and industry's wish to start large scale and fully autonomous drones operations in non-segregated airspace, in which so called U-Space Service Providers are to manage traffic, both manned and unmanned.

While the initial plan was for EASA to present its Opinion on U-Space at the conference, this was not possible, due to a delay until approximately March 2020. The conference therefore considered the principles underlying drones operations, rather than discussing proposed rules in great detail. Interestingly, a topic that was given a lot of attention was the question of societal concerns about drone operations, with many observers doubting that the general public is ready to accept thousands of drones operating at low altitude in an urban environment.

EAS will continue to participate in the debate on U-Space as appropriate. The next important step is the publication of the EASA Opinion, which will establish a high level regulatory framework for the U-space.

## **More about drones! OCTOBER U-SPACE CONSULTATION**

In October, EASA issued an Advisory Body Consultation about the planned Opinion "High-level regulatory framework for the U-space" ([RMT- Rule Making Task 230](#)). A Europe Air Sports workgroup spearheaded by Michel Rocca and Nils Rostedt prepared a

comprehensive response. We also reached out to our Member organisations to consolidate their comments and thus enable their voices to be heard. Many of our members used this opportunity, and EAS thanks all of you for your efforts and contributions.

## **NEWS OF REGULATIONS FOR CREDITING OF FLYING HOURS**

***Brought to you by Europe Air Sports' Senior Vice-President Rudi Schuegraf***

Exactly one year ago we informed you in our newsletter about the positive development concerning the crediting of hours flown on aeroplanes listed in Annex I of the new **Basic Regulation (NBR)**. We had received evidence from EASA that the wording of the expected **AMC (Acceptable Means of Compliance)** which we had drafted for the Agency in the year 2013 was about to be published in the near future, stating that

*All hours flown on **any aeroplane** registered in an ICAO Contracting State shall count in full towards **fulfilling the hourly requirements of this Part** (Part **FCL**) 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.*

Unfortunately, we then learned that – for reasons not known to us – the publication of that **AMC** was delayed. It is now forecast for January 2020, with the text changed from the general meaning above to a specific wording as follows:-

*According to the present draft of the **AMC/GM**, the provision only applies to "the hourly requirements in points **FCL.140.A**; **FCL.140.S** and **FCL.740.A(b)(1)(ii)**". These are the paragraphs for the recency conditions required for the LAPL and the PPL class rating.*

During the December meeting of the Flight Standards Technical Committee with EASA and the National Authorities, Europe Air Sports and IAOPA urged for clarification. We asked for publication that, in line with the provisions of the New Basic Regulation, all hours flown on aeroplanes should be credited. This would include

- hours flown on aeroplanes listed in Annex I, including aeroplanes up to 472.5 kg MTOW;
- hours flown on non EASA certified aeroplanes registered in non EU states, i.e. all ICAO states;
- hours flown on so-called opt-out aeroplanes (600 kg) according to article 2.8 of the **NBR**;

and last but not least

- hours flown in any category of aeroplane shall be credited when an applicant applies for a LAPL A (FCL.110).

We will inform you and publish any new development as soon as we receive the information from EASA.

## **NEW: EASA CONSULTATION ON BEST INTERVENTION STRATEGY FOR AIRBORNE COLLISION RISK *Deadline 15 January***

This is the most recent EASA Advisory Body consultation and it is very important for General Aviation. In the draft, EASA proposes that previous proposals to mandate carriage of collision avoidance equipment (such as ADS-B) are replaced by voluntary equipage. It also opens the possibility for non-certified equipment (such as FLARM) to be used.

Is this good or bad? Keep in mind that another part of this draft strategy, in the long term, is to enable drones and manned aircraft in integrated airspace. Does the draft strategy mean that General Aviation and sports and recreational aircraft can "voluntarily" protect themselves against BVLOS (Beyond visual line of sight) drones?

Views from GA stakeholders are also sought on the proposal not to activate a RMT (Rule Making Task) and on the 9 identified proposed actions.

We have forwarded the consultation to EAS member organisations – please have your say! We appreciate your comments latest on 5th January.

**EAS contact person: Nils Rostedt**

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



The last months have been quite busy with various tasks, many of which are connected to drones in one way or another. An interesting trend is that there are fewer traditional public *NPA* (*Notice of Proposed Amendments*) which are relevant for us, while the number of limited-distribution *Advisory Body* (*AB*) consultations (Focused Consultations) is increasing.

### Recent NPA and other consultations, update

- **EASA AB Consultation on High-level regulatory framework for the U-space**, deadline 31 October – responded, see above
- **NPA 2019-09 All Weather operations**, deadline 15 November – not relevant
- **NPA 2019-10 Measurement of the SKPI and SPIs in the SES Performance and Charging Scheme**, deadline 20 October – not relevant  
*SKPI - Safety Key Performance Indicators; SPI - Surveillance Performance & Interoperability; SES - Single European Sky*
- **EASA AB Consultation on draft GM/AMC for Part- CAO and Part-ML**, deadline 31 October. With the help of experts from several EAS member organisations, a comprehensive response was prepared. In general terms, this is a positive development.  
*CAO - Combined Airworthiness Organisation; ML – Maintenance - Light*

### In the pipeline:

- **NPA 2019-11 Human factors in rotorcraft design**. Checked, no action
- **NPA 2019-12 Installation and maintenance of recorders – certification aspects**. Checked, no action
- **EC Consultation: Questionnaire on "Aviation – reporting safety-related incidents regulation" (376/2014)**, Deadline 31 January. Ongoing, Forwarded to our Membership
- **EASA Opinion 05/2019 Standard Scenarios (for drones)**. Watch item
- **EASA AB Consultation: Best Intervention Strategy on Collision Avoidance**, Deadline 15 January. Ongoing, Forwarded to EAS Membership, see above.

## MEDICAL TOPICS

Our Technical Officer Marja Osinga attended a meeting of the Medical Expert Group in October.

There were only a few issues relevant for air sports.

- Ramp inspections may be carried out without warning, from 14 August 2020. Procedures for air crew apply to General Aviation including sports aviation. Items that may be inspected include aircraft condition, documents, licences and alcohol consumption. The procedures will be laid down at a national level.
- There is to be a review of the literature relating to colour vision, with a workshop to be held in April 2020.
- The reporting of accidents and incidents due to medical/human factors differs between Member States. Post mortem examinations are not always performed.
- There was a discussion about the number of AMEs (Aero Medical Examiners). There was no agreement as to whether this should be addressed by the CAA in each country or whether the numbers should be guided by demand from pilots.
- Marja suggested that plans should be made to change the EASA rules on diabetes type 1 (insulin dependent), especially for air sports (class 2 and LAPL medicals).

The answer was that we can send a proposal for change. Marja is advising EAS about how to proceed with this proposal.

## 2020 EUROPE AIR SPORTS GENERAL MEETING - REMINDER

*Strasbourg Museum Palais Rohan*

The General Meeting will take place in Strasbourg from 17 to 19 April 2020, starting with a social programme for all delegates and partners at 14:00 hrs, followed by dinner in the evening. The technical meeting will take place from 09:00hrs till 17:00hrs on Saturday 18 April, with a dinner starting at 19:00hrs. The Statutory meeting will take place on Sunday 09:00hrs till 12:00hrs.

The location for the meeting and proposed accommodation will be Hôtel Mercure, Strasbourg, Palais des Congrès.



## 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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