

OCTOBER/NOVEMBER 2013

It's good to be versatile and you never know when you're going to need to use all your talents. Here is the latest news featuring the work done by our talented team of experts (though I'm not sure that any of them play the clarinet!)



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MEMBER STATES GIVE GREEN LIGHT FOR IFR RATING – *Jim Thorpe (PPL IR Europe)*

On 18th October EU Member State experts delivered a favourable opinion on a package of measures designed to make instrument flying more accessible for the private pilot. As a next step the European Parliament will have three months to scrutinize the legislation before it can enter into force. However, as the EASA Committee of Member States voted unanimously in favour of these rules it is extremely unlikely that Members of Parliament would demand any further changes to the rules.

PPL IR Europe, a member of Europe Air Sports (EAS), represents pilots holding or having an interest in gaining an instrument flying qualification. Instrument flying means that, while most of our concerns align with those of other interest groups in the private pilot community, we also need to cooperate closely with commercial aviation with which we share controlled airspace. EAS has been very important to us in maintaining our contacts with the wider general aviation community. We hope in return we have been able to contribute some of our own specialist knowledge.

Under the JAA, increasingly demanding regulation of commercial flight training imposed constraints and costs on private pilots wishing to obtain the Instrument Rating (IR). It did

this without delivering any improvements in the quality or relevance of the training. The predictable outcome was that fewer and fewer pilots bothered to obtain an IR. The most motivated migrated to the FAA IR and flew N-registered aircraft in Europe. The unfortunate result was that while about 30% of US PPLs hold an IR, only about 3% of European PPL holders do so.

PPL IR held intensive discussions at all political levels about this for several years and EASA responded by setting up an expert group, FCL008, to consider the issue. Thanks to EAS I was selected for the group, as was another EAS member from France who brought the valuable perspective of being an air traffic controller as well as an instructor. The group also considered gliding in cloud but that aspect of the task is not covered in this article. There was strong support from EASA throughout, but the democratic process does not move quickly. Some 5 years of meetings and consultation were required before the recent vote in the EASA committee of Member States representatives brought the process close to a conclusion. The outcome was a stunning success with a flexible training system which achieves almost all our objectives. The old JAA system, taken over unchanged by EASA, required a PPL to take 50 hours flight training entirely within an Approved Training Organisation (ATO). There was a demanding Theoretical Knowledge (TK) course. Very significant parts of this TK course were focused on commercial air transport matters and jet aircraft, topics of no relevance to the PPL.

In the future there will be a course of TK much more targeted on the needs of the PPL IR. About half the old learning objectives have been eliminated. The flight training has been reduced to the 40 hours which has always been the ICAO requirement. Thirty of these forty hours can now be acquired in a more flexible way outside the ATO structure. This will reduce the cost of training and, more importantly, make it flexible and adaptable to the needs of pilots combining their flying activities with work and family. This new way of training is known as the Competence Based Modular IR (CBM IR). The skill test is unchanged. All pilots will still attain the same high standard of qualification.



Even with these advances it will still be somewhat more costly and difficult to obtain an IR in Europe than in the USA. Not all pilots need the full privileges of the IR. It was therefore felt there was a need for a rating that would be somewhat easier to obtain. This idea developed to become the En Route IR (EIR). This allows flight under IFR and in IMC in the en route phase of flight but the departure and arrival must be in VMC under VFR rules. The TK course is the same as for the IR, so with 15 hours flight training a pilot can obtain a rating that is useful in its own right as well as

providing a means of transition to the full IR, if required.

During the FCL008 process it became clear that European residents with an FAA IR were going to be required by European legislation to also obtain an EASA IR if they wished to continue flying in Europe. No system existed for them to comply with this change. They had to complete a 50 hour course without receiving any credit for their prior experience. They also had to complete the old style theory. PPLIR Europe proposed that they should only need to take the EASA IR skill test and as part of this test be questioned on topics pertinent to flying IR Europe. This proposal was adopted and FAA and other third country IR holders now have a conversion route to obtaining an EASA IR that recognises their prior experience.

The challenge now is for instructors and flight schools to take advantage of the opportunities these changes offer. Perhaps different ways of working will emerge to suit local circumstances. For example, a small flight school or an individual instructor might form links with a specialist ATO to deliver the early training in ways that suit candidates, who then complete the course with the compulsory 10 hours in the specialist ATO.

After identification of these issues, the next key step is to create a plan to resolve them. Because of the potential damage to GA, from disproportionate regulation, and the urgency of improving it, we expect that the required rulemaking will be an accelerated process as one element of an overall GA initiative. All the work will require a constructive, problem-solving approach, underpinned by the Principles and Guidelines in the Safety Strategy.

Some fairly simple non-controversial issues where clarification or guidance is required (or can be improved) can be handled by a proposal from the GA community for new or different regulatory materials.

However, there are also collections of related, complex and sometimes politically sensitive issues. Their resolution will require extensive interaction between interested stakeholders (for example, industry, the Agency, NAAs and users) to understand what is important to each stakeholder about the regulatory framework around the issues, and to find directions for solutions that balance those needs appropriately. In some cases the solutions may require changes in the Basic Regulation. The process of coming to a solution will therefore need both the GA community and the Agency/NAAs/Commission to allocate significant resources to the work as a project.

It is vital that projects deliver not only long-term solutions but also 'work-arounds' and quick-fixes that ease the burden on the GA community, before it is too late to reverse the damage done by disproportionate regulation.

In the initial phase of work to start early 2014, there are three projects in each of the Airworthiness and Flight Standards domains, plus one project which addresses a number of cross-domain aspects of the Basic Regulation as it applies to GA, including the definition of 'commercial operation'.

We will bring you more news of this process as it develops.

NOTES FROM THE PRESIDENT – *David Roberts*

FAI



During October I travelled quite a bit, firstly to the FAI conference in Kuala Lumpur (in my role as UK V-P of the FAI), where I met with many colleagues from European National Aero Clubs. EAS is an associate member of the FAI. Whilst the FAI deals with air sports sporting issues globally including primarily competitions and records, some of its activities interface with those of EAS. This is particularly in the regulatory field and airspace, both subjects being handled in newly formed FAI expert groups. EAS has a long standing Memorandum of Understanding with FAI that recognises EAS's primary role in representing air sports with European institutions on regulatory issues.

EMF Conference

The following weekend I was a guest at the European Microlight Federation conference in Porto, Portugal. I was able to confirm - again - that the EMF's desire for microlights to stay outside the scope of EASA was not at risk, from all that I am able to determine. The conference learnt about the recent EAS/EMF/EFLEVA discussions with EASA, concerning the future of the European Light Sport Aircraft. EMF also heard from me about the latest developments in the actions arising from the European GA Safety Strategy and a variety of other topics relevant to EMF's interests.

Nordic Co-ordination meeting

I next visited Stockholm (well at least the airport hotel) to attend the Nordic Aero Clubs' co-ordination meeting. Sweden, Norway and Denmark were present, but unfortunately Finland and Iceland were unable to attend. I gave an overview of the latest regulatory developments, including the breaking news a day before of the EASA Committee passing the draft new rules for the Instrument Rating (IR) and the EIR. We discussed the varying national approaches by NAAs to implementing the rules for Approved Training

Organisations (ATOs). This is causing considerable concern in some countries. It was agreed that national experiences should be shared between member NACs of EAS, as far as possible, to try and find ways of alleviating the worst examples of overly prescriptive implementation. In Stockholm I also posed the question "What would you like to see as the future format of the EAS general conference?". We had a very useful discussion, which I took forward to the October EAS board meeting.

Next EAS Conference - Istanbul

The EAS board agreed that the format of the next EAS conference should provide an interactive forum in which members can present their experience of various regulatory topics in terms of implementation and also 'what needs to be fixed'. One key topic is ATOs and another is probably Part M. Pilot licences' transition is another potential topic. We shall be in touch with members, as soon as possible, to elaborate on this plan but we would like members to write to us with their ideas. Please send them to me at d.roberts@europe-air-sports.org with initial ideas, if possible by 12th November.

Subject to finalising arrangements and confirmation, the EAS conference will be in Istanbul from **09.00 Friday 21st March to 12.00 Sunday 23rd March 2014**. The plan for 2014 is to have the interactive forum on the Friday morning, followed by an afternoon and evening for delegates to see a bit of Istanbul. On the Saturday we plan to have a guest speaker, as well as discussing the normal range of topics. Sunday morning will, as usual, be the formal AGM dealing with finance, elections etc.

OCURRENCE REPORTING IN CIVIL AVIATION: HIGH HOPES FOR MORE PROPORTIONATE RULES FOR RECREATIONAL AVIATION – Timo Schubert

Good progress has been made during the negotiations between the European Parliament and the Council (EU Member States) on the proposal for a Regulation on Occurrence Reporting.

To recall, this proposal seeks to strengthen aviation occurrence reporting and contains a detailed annex listing occurrences that must be reported. The proposal suggests the same rules for all segments of aviation and its adoption in the current form would mean a significant administrative burden without however generating safety benefits for recreational aviation.

EAS has therefore advocated lighter requirements for non-commercial aviation and the exclusion of the so-called EASA Annex II aircraft, such as microlights, hang-gliders and amateur-built aircraft.

EAS understands that during recent rounds of negotiations – so called "Trialogues" – between the Parliament and the Council, both institutions have supported the need for more proportionate rules for light aviation and the exclusion of Annex II from the European requirements. The final adoption of the regulation can be expected in early 2014 and further changes are possible.

EAS will continue to monitor the legislative procedure and intervene as appropriate.

René Meier Reports on Recent Work, but first here are the abbreviations that you may need

AMC	Acceptable Means of Compliance	GM	Guidance Materials
ATO	Approved Training Organisation	NPA	Notice of Proposed Amendment
ATPL	Airline Transport Pilot License	RMT	Rule-making Task
CRD	Comment Response Document	TBO	Time Between Overhauls

RULEMAKING TASKS IN WHICH WE ARE INVOLVED – THE STORY OF STORY LINES

Every autumn EASA publishes a Rulemaking Programme (RMP) for the next four years. The one in force is the Rulemaking Programme for 2014-2017. It includes 334 different, clearly defined tasks, most of which have a technical background. We found that 50 of

these 334 are important for our community. So as to help us not to lose oversight, Julian Scarfe developed a tool focusing on who has to do what and when, as well as what was done in the past. This is very important because tracking what was done by whom, and when, is very important when we have to observe political processes, and there are quite a lot of those in aviation. Even if we are actually only directly affected by 50 of the 334 Rulemaking Tasks (RMT), it is not always easy to know the exact status of every one.

One day our President made a remark about "story lines that we need...". Following that remark, Europe Air Sports now has such story lines for every one of the 50 tasks. Several of them are printed in this Newsletter:

"0199" shows where we are with RMT.0199 Qualifications for flying in IMC, better known as the En-route Instrument Rating, Competency-based Instrument Rating and Cloudflying with Sailplanes (NPA and CRD of NPA 2011/16). This story line depicts the standard rulemaking process.

"0239" Non-binding TBO limits, draws the shortened process decided by the EASA Management Board in Spring 2012. The difference is that CRD of NPA 2011-15 is published at the same time as the Opinion of the Agency and with Decision 2013/025/R of the Executive Director of EASA. The whole process is shorter. As Europe Air Sports is always directly involved in the rulemaking process at all relevant stages, the lack of opportunity for submitting comments to the CRD is not considered to be a problem.

Some hints: The yellow roundels indicate who is involved in preparing the different steps of the whole process, the grey square with "EAS" in it shows where we are normally invited to submit comments. These drawings may be adapted to special needs of particular interested parties, so if you need such a story line for your purpose just send me a message and I will send you your personalised copy, normally within three days.

WHAT ABOUT IMPLEMENTING RULES FOR SPECIALISED OPERATIONS (SPO)?

This task goes back to 20 July 2006. It was published as NPA 2009-02 on 30 January 2009 and as CRD of NPA 2011-16 on 27 September 2011, i.e. much later than originally planned. As we were very worried about what activities would count as Specialised Operations, we raised our voice to be heard, not only in Cologne.

From our external point of view, not much happened from the closure of the commenting period in force for the CRD, from the end of January 2012 until Summer 2013. So on 27 August we asked the Agency for a short progress report regarding Part-SPO (which is Annex VIII to the Basic Regulation (EC) No. 216/2008). On 6 September 2013 we received a message that the Implementing Rules for Part-SPO will be published early next year, together with the corresponding AMC and GM. We will keep you informed about all publications related to Part-SPO as soon as we can.

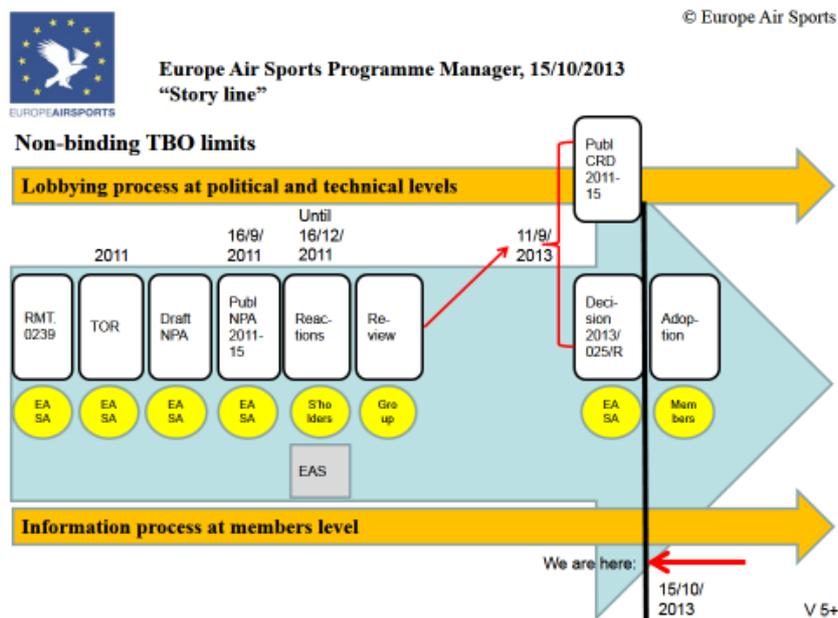
AGENCY'S DECISION ON NON-BINDING TBO LIMITS

Applying the shortened rulemaking process, on 11 September 2013 the Agency published CRD 2011-15 together with Decision 2013/025/R. The task number was RMT.0239 and the NPA was published on 16 September 2011. EAS finds positive elements in this Decision. e.g. glider aero-towing has been removed from the list of activities requiring strict observance of manufacturer's limits.

The bad news is that aircraft used in ab-initio training have been retained on the list of full compliance with TBO limits. It remains unclear how ab-initio training is defined. Some say this is something for future ATPL holders only, but not much is clear. If all initial training is considered "ab-initio", even in a non-complex ATO operated by a club for members only, all clubs would be required to observe strict TBO limits. This is very unhelpful in the view of EAS. This does not appear to be an objective risk-based decision by EASA, and therefore actions from EAS are needed.

We are already working on finding the most appropriate way to have non-binding TBO limits appropriate to our operating environment with a multitude of aircraft and engine types within our community, ranging from self-launcher gliders to powered sailplanes,

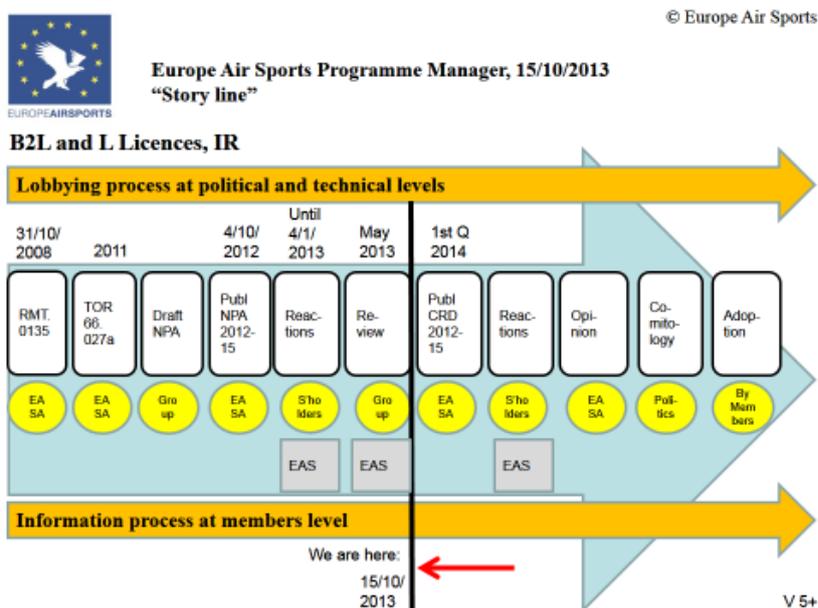
from touring motor gliders through to e.g. single engine piston aircraft. Again we are confronted with an unsatisfactorily written definition. If this is not corrected we shall soon be confronted with dozens of interpretations.



B2L AND L LICENCES FOR MECHANICS UNDER REVIEW

We published a report under this title on page 5 of the last Newsletter. We had hoped to hear the results ready for publication in this edition, but unfortunately a delay has occurred. The latest information about the probable publication date is that the outcome of the review activities in which René was involved will be published in early 2014.

For more details as regards the contents of the two licences please refer to the article in the last Newsletter. The review group proposed the deletion of as many exams as reasonable and the shortening of the duration of some training activities. No changes were proposed with regard to the basic structure of both licences. If you have any questions, please contact our Programme Manager or Frédéric Knecht of EASA.



MAJOR INSTITUTIONAL CHANGES TO AFFECT EAS ACTIVITIES IN BRUSSELS – *Our Political Adviser Timo Schubert reports*

2014 will be a year marked by significant institutional changes at the EU's political level. In May Europe's citizens will be asked to cast their vote in the elections to the European Parliament.



Following the Lisbon Treaty the Parliament's powers have been further extended and now include the powers to adopt or reject European legislation in almost every policy area. The Parliament has in the past shown considerable support for sports and recreational aviation, underlining the need for more proportionate rules for our sector.

In parallel with the end of term of the Parliament there will also be a new European Commission. The EU's Member States and the Parliament are jointly responsible for nominating the new Commissioners and the Commission President. The new Commission should be in place before the end of 2014 (probably in November).

Following these major changes EAS will concentrate its efforts at the EU political level to meet the new decision-makers in order to alert them to the needs of recreational aviation and to maintain and build on its political network. This will ensure that effective channels of communication continue in the future.

INFORMATION FOR PILOTS HOLDING A US LICENCE WHICH WAS ISSUED ON THE BASIS OF A EUROPEAN LICENSE BEFORE EASA PART FCL – *Rudi Schuegraf*

EAS has learned that the US FAA has introduced a simplified procedure to reissue new US FAA licenses based on EASA Part FCL licenses to pilots who have held an US license before. We reproduce the original FAA letter, as not all pilots affected or their NAAs will know the details which need to be followed.

Administrative Process for the Reissuance of FAA Pilot Certificates

Background

New European Commission flight crew licensing regulations (Commission Regulation EU1178/2011) prescribe a license format for all European Union Member States to follow. As a result of this format change, pilots' license numbers in European Union Member States will likely change. The renumbered licenses will render FAA pilot certificates that were issued on the basis of a foreign license (14 CFR Part 61.75) invalid since the FAA certificates were originally issued on the basis of their existing or current European pilot license number.

Under current standard procedures, pilots who wish to have their FAA certificates reissued are required to travel to an FAA Flight Standards District Office in the United States to comply with the FAA requirement for verifiable identification of each certificate holder or applicant. Recognizing the difficulties that this will present to European pilots, the FAA's Flight Standards Service has decided to grant a deviation from its standard reissuance practice.

Limitations

- This process is only applicable to European pilots who reside outside the United States and who currently hold FAA pilot certificates based on pilot licenses issued by EASA Member States.
- This process is limited to license number changes; and does not apply to other changes to an FAA pilot certificate, such as a change in ratings. For such other changes, the pilot will be required to comply with current standard FAA processes for

reissuance of a pilot certificate.

- This process is applicable from 8 April 2013 through 8 October 2018.

Actions for Pilots and National Aviation Authorities

Pilots who wish to have their FAA certificate reissued according to this process need to contact the European national aviation authority (NAA) of the State of License. Pilots must provide the NAA with all the relevant information stated below.

European NAAs who choose to use this process are asked to ensure the positive identification of the pilots and to verify that the pilots hold valid Part-FCL pilot licenses. This procedure will not apply to suspended, revoked or expired EU licenses.

To document that these requirements have been met, the NAAs will provide the following information to the FAA:

1. Pilot's full name
2. EU license numbers (both the former number AND the new Part-FCL license number)
3. FAA validated certificate number
4. Pilot's current mailing address (Note: this is critical because the FAA will mail the new FAA pilot certificate - with the updated Part-FCL license number - directly to the pilot)
5. A statement that the current Part-FCL pilot license is valid and is not suspended, revoked, or expired.
6. A statement affirming that positive identification of the pilot was obtained.

Such identification must include an official photograph of the applicant, the applicant's signature, and the applicant's residential address, if different from the mailing address. This information may be presented in more than one form of identification.

The statement letter from the NAA must be made on official letterhead paper and must be formally signed by an AA duly authorised person. The AA may mail the information to:

FAA, Civil Aviation Registry, PO Box 25082, Attn: Technical Section, Oklahoma City, OK 73125; or Email to: foreign-verification@faa.gov; or Fax to: 405-954-4105, Attn: Technical Section.

Federal Aviation Authority Point of Contact

For further information on this process, please contact

Ms. Tona Gates, Manager, Airmen Certification Branch, Civil Aviation Registry, FAA Flight Standards Service; Telephone: +1-405-954-3822; [Email: tona.gates@faa.gov](mailto:tona.gates@faa.gov)

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