



Welcome to the May 2011 enews of IAOPA Europe, which goes out to 23,000 aircraft owners and pilots in 27 countries across the continent

Can the French find a way out of the EASA maze?

The French are looking at an initiative which could help general aviation avoid some of the damage caused by EASA's proposals on instrument flying and its attack on the N-register in Europe. Before EASA takes over responsibility for flight crew licensing in April next year, France intends to have an ICAO-compliant, genuinely achievable PPL instrument rating. Holders will seek grandfather rights under EASA, and the French believe that if a handful of European countries adopt their IR, EASA might be persuaded that there's no point in persisting with its own destructive plans.

Emmanuel Davidson, Executive Vice President of AOPA France, outlined the plan to the 126th Regional Meeting of IAOPA Europe in Friedrichshafen in April. The new IR enjoys active support at the very top of the DGAC, the French CAA. The practical will require a minimum of 45 hours' training, which is greater than the ICAO standard, but the major difference will be on theoretical knowledge. Instead of seven written exams covering a mass of arcane and often nonsensical questions on how many megaphones are required on a 747, or fire axes on an A340, or calculating the mach number of a PA-28, there will be a single exam with questions relevant to the pilot flying a single-engined aircraft.

"On the private side, the European Instrument Rating is totally out of reach of 99 percent of private pilots," M Davidson said. "EASA's Working Group FCL 008 was working at a snail's pace at building a new IR and got nowhere. M Patrick Gandil, the Director of Civil Aviation at the DGAC, recognised that urgent action was required."

The JAA/EASA theoretical knowledge requirement, which calls for about a year of study, is the reason so many Europeans go to the United States for their instrument ratings and fly on the N-register in Europe. Under the FAA, the practical flying standard is as high or higher, but the theory is sensible and commensurate. Thousands of FAA IR holders fly in Europe every day, and EASA admits there is no safety issue with the rating. DGAC Director Gandil is to travel to the USA next month to fly with Bruce Landsberg, Director of the AOPA Foundation, to see the FAA IR in action.

M Davidson said: "In the UK they have saved the IMC rating for those who already hold it by forcing EASA to accept that it cannot take away rights that pilots already have. Unlike the IMC rating, the French IR will be ICAO-compliant and will meet every international standard. The DGAC is talking to other CAAs, who are looking at whether they can do this too. The DGAC is asking whether they will accept French pilots flying into their countries, and if so, why not adopt it? If five or six countries in Europe do so, we can ask EASA whether it's really necessary to continue with FCL.008's proposals - why not simply adopt what will already be in existence?"

EASA is beginning to accept that its politically-motivated assault on the N-register will cause far more damage than it originally thought. It had calculated that between 2,000 and 3,000 pilots would be hit, but now quotes a figure of

68,000. IAOPA believes the number to be even higher.

Dr Michael Erb, Managing Director of AOPA Germany, who was IAOPA's representative on FCL-008, reported that the holders of FAA Instrument Ratings would be forced by EASA to go back to flight school, no matter what standard they had attained, in order to have a check ride. They would also have to undertake the full theory course. "This is unacceptable for people who have held their ratings for decades, that they must disappear for weeks, months, do all this theory learning again," he said. "Even EASA accepts that the theoretical knowledge requirement for the IR is much too ambitious for private pilots.

"We met with EASA's Director of Rulemaking Jules Kneepkens and came away believing that this was a fruitful meeting, but then we found out that EASA FCL has effectively gone to the European Parliament and nothing can be changed. There may be a solution, but there is a high risk that thousands of pilots will be stranded and it will be a shock for our industry, which is economically in a very bad state. There has never been a safety concern over this. We must allow people to continue to fly as before with their licences, and we need methods by which they can validate their licences and ratings without unnecessary burden."

EASA: You'll need an AOC to do trial lessons

The Regional Meeting was preceded by a meeting between IAOPA representatives and EASA executives in Friedrichshafen, and it was a dispiriting affair. Afterwards Bruce Landsberg said: "I came out quite energised at how fortunate we are in the US. Our people seem positively reasonable compared to yours."

EASA last year decreed that its personnel could not be quoted by name, so we can only report that these were the senior executives in charge of Ops and FCL. The most worrying news is that under Ops, EASA is considering making it compulsory for any FTO offering a trial flying lesson to obtain an AOC. This would be devastating for the many flying schools and clubs who rely on trial lessons to stay afloat. Even the lowest grade of AOC, the A to A certificate, is costly and comes with a raft of extra requirements on the writing of ops manuals, pilot training and currency and more. AOCs only cover individual aircraft, so a designated plane would be needed. Worst of all, the trial lesson could only be conducted by a commercial pilot - a flying instructor could not do it, even if he had passed the commercial theory exams. The EASA Ops man, who claimed to be motivated by safety, said EASA was concerned that people who signed up for trial lessons in fact only wanted a joyride. What was the safety aspect? He didn't say. If ever a sledgehammer was aimed at a nut, this is it. Can it be headed off? We can only try. It is also feared that EASA is laying plans to outlaw cost-sharing, which would show up another fundamental flaw in the Agency's approach - it's pointless making rules you can't police or enforce. IAOPA Senior Vice President Martin Robinson says: "If you make bad law, people will find a way around it. This is a basic fact on which all of Britain's 'better regulation' legislation is based."

Under FCL, plans for flying instructors look good on paper, but will they work in the real world? There will be two types of instructor, one who can teach for the Europe-only LAPL and cannot be paid, and one who can teach the ICAO-compliant PPL, who must have passed the CPL theory exams. Both must pass a flying instructor course. The LAPL will be valid in all 27 European states but not in the USA and elsewhere. How would that work at your FTO? How many people will opt for the higher-cost ICAO PPL, with its paid instructor? Enough to justify having a paid instructor on the strength? If you're offering the LAPL, how do you manage your staff if you can't pay them? Where will they come from?

If the flying instructor course costs, say, €5,000, who will lay that out in order to get an unpaid job? Are we moving into the era of the back-hander?

There was much discussion of FCL-008, the working group on instrument flying, and Martin Robinson believes there's something going on that we're not being told about. The NPA on 008 should have been out last year; now it won't be before June 2011. EASA has taken a few knocks on this, and not just over the UK's IMC rating. Is there a rethink going on?

EASA's Part M - can we get some relief?

The Regional Meeting heard that EASA's Part M maintenance rules are piling new costs and complexities onto general aviation, particularly where national authorities are interpreting them perversely. In some countries, we have arrived at a situation where recommendations written by lawyers for foreign manufacturers to try to limit their liability

automatically become European law.

Manufacturers recommendations on the replacement of such equipment as seat belts and mufflers are being mandated in countries like Sweden, which say EASA is responsible. As a result, owners are being forced to replace perfectly good seat belts and mufflers after, say, 1,000 hours, at great expense and to no purpose. Lars Hjelmberg of AOPA Sweden is forced to lubricate his PA-28's door seals every 30 days because that's what's recommended in the Piper manual, which the Swedish CAA says has the force of law according to EASA. Unfortunately, this gross over-lubrication is causing the door seals to swell and putting increasing pressure on the door hinges. "If the door hinges give way and the door breaks free in flight," says Lars, "who is responsible? Not Piper, not EASA, not the Swedish CAA - only me. Now, I have to replace the door seals because they are over-lubricated."

Dan Akerman of AOPA Sweden has given a presentation on this issue to the Swedish CAA at the highest level. The problem, he told the Director, centres on the interpretation of the word 'or' in a sentence in the Part M documentation which requires maintainers to conform to "the relevant chapter of the manual or any other maintenance data containing information on scheduling". Dan told the IAOPA-Europe Regional Meeting: "In Sweden the word 'or' is interpreted as meaning 'and', which means that any service bulletin, any recommendation, anything the manufacturer of the part or aircraft wishes to put in an aircraft's documentation carries the force of law and must be complied with.

"Part M is written for people working with large aircraft and they did not think of small planes. With large aircraft, everything is checked and checked again for redundancy, and it is a huge and extraordinarily complex job, done on an enormous matrix, and we accept it. Small aircraft do not have this - it has the maintenance manual written by the original equipment manufacturer, who can write whatever he likes in his manual. But in Europe, what he writes becomes mandatory. As a result, costs have increased dramatically, especially as every piece of paper a manufacturer has issued, going back for decades, must be checked to ensure compliance."

IAOPA Senior Vice President Martin Robinson reported that IAOPA Europe was joining with the Swiss Aircraft Maintenance Association to ask EASA Executive Director Patrick Goudou for a total rethink of Part M. "We also want to take it up to Commissioner Siim Kallas and into the European Parliament. There are some very strong feelings over this. With all these unnecessary new requirements, less and less flying is going on, and maintenance organisations that have huge fixed overheads are having enormous problems. The system is breaking down. We need to introduce some common sense into this, or it's going to break down completely."



Why the cost of regulation is rocketing under EASA

Martin Robinson warned delegates that they had to lobby their national authorities about EASA and could not leave the job entirely to IAOPA. While the outline, or framework, regulations are set out by the European Commission and - since the signing of the Lisbon Treaty - are automatically law in every state, organisations like EASA then put flesh on the bones. IAOPA interacts directly with EASA, but national authorities have enormous influence and should be lobbied by national AOPAs. "I'm asking you all, please get involved at state level - find out who your members are on the Single Sky Committee, on the Board of Management of EASA, please speak to your national delegates, because our case is much stronger if when one national delegate makes a point, the others say, oh yes, I'm hearing that in my country, too. You need to write to these people in your own languages."

IAOPA has seats on the EASA Advisory Body (EAB) and the European Commission's Industry Consultation Body (ICB). "EASA has two budgets - the Community budget, and income from the work it charges for," said Martin. "The Community budget is being cut and EASA is losing about €3 million. EASA is asking for an increase in fees it charges for certification work. The EAB has only seen a rough draft of these proposed new fees. It seems that EASA didn't understand that the EAB should be formally consulted on fees, which is fairly typical of the Agency's attitude to consultation. The fees in the draft that we have seen would mean a fourfold increase to small businesses that service

general aviation - it would cost four times as much for a new prop, or anything else you wanted to do. We have managed to get the European Commission to accept that for a business with fewer than 10 employees, there will be no increase in charges. The representative of Rolls Royce aero engines made the point that EASA fees are already twice as high as the fees that the UK CAA was charging when it was the most expensive regulator in Europe, and the new proposals would increase their costs by 30 percent more, should they succeed.”

Almost all organisations involved have raised concerns over the way EASA operates, and the EASA Board of Management will decide in September on a suite of improvements designed to make EASA more efficient and cost-effective. But the relationship between EASA and the aviation industry is not good. “EASA fears the industry is trying to pull the wool over its eyes, and at the same time it writes its regulations with the primary aim of not getting sued.

Unlike some of the national CAAs, EASA does not carry any liability insurance, so it writes the rules in a legalistic language which does nothing for clarity or safety.

“The EAB is limited in what it can do, but we have the big organisations like Airbus and Rolls Royce fully supporting GA in trying to achieve proportionality in rulemaking and fees. We do have a unified voice - and believe me, it’s very helpful when you have Airbus and Rolls Royce saying, don’t kill GA. Talking to them has been very productive.”

ICAO report - bad news on fixed ELTs, better news elsewhere

IAOPA Secretary General John Sheehan reported that after a year and a half of work by IAOPA’s representative at ICAO Frank Hoffman and other members, a set of guidelines on the regulation of Unmanned Aerial Vehicles had been put together. “It is a fundamental requirement that all UAVs must be able to operate independently of complementary systems and ‘sense and avoid’, and there should be no requirement to block out airspace solely for the use of UAVs,” he said. ICAO had also produced a new set of security guidelines, he added, and much of that had been written by IAOPA. IAOPA is also closely involved with ICAO’s NGAP programme, which stands for ‘Next Generation of Aviation Professionals’. “ICAO recognises that we’re running out of professionals, not only pilots but aviation engineers and others necessary to the future of the industry at every level,” John said. “Growth needs will be great, but getting the right people will be a problem. The initiative we have pushed involves getting them when they’re young - taking them out to the airfield, taking young people flying, enthusing them with the love we ourselves have for aviation.”

John also mentioned work currently under way with both ICAO and EASA on Performance Based Navigation (PBN) under which when it is required that aircraft follow a very precise course using GPS or RNAV, there are standards to which we must conform. The main thrust of IAOPA’s involvement is ensuring that for general aviation, equipage and training requirements should not be excessive.

The never-ending battle on fixed ELTs continues. ICAO has now decreed that aircraft must carry a basic ELT. “We’ve lost two battles but not the war,” John said. “We have now gone over ICAO’s head to COSPAS/SARSAT and are asking for alternative means of compliance. This is driven by the Canadian AOPA, and I think we’re making progress. We think we should have an accurate system, but current ELTs are not reliable and don’t work.”

Europe is saying that ICAO standards, which up to now have only been recommendations, are to be treated as mandatory, which makes IAOPA’s representation at ICAO ever more important.

SESAR: the future is now

Air traffic expert Ben Stanley of AOPA UK reported on progress towards SESAR, the Single European Sky Air Traffic Management Research Programme, on which IAOPA has been working for more than five years. SESAR is, he said, as revolutionary for aviation as the introduction of radar, and the first effects will be felt just two years from now.

SESAR was conceived as a clean-sheet approach to air traffic management and will change almost everything - our comms equipment, nav and surveillance boxes, and the way we are routed. It represents a challenge for ATC service providers, who must move from the status quo to meet the airspace users’ needs, both commercial and non-commercial. It is vitally important that IAOPA is there to represent general aviation. In the first days of SESAR, the airlines questioned whether there was any need for uncontrolled airspace at all. Had GA not been represented it is possible that the Open FIR would have been lost. As it is, there will still be uncontrolled airspace, and equitable access for all is enshrined in the project.

SESAR is vast and complex, and more than 200 work streams have been set up to move it forward, of which IAOPA is involved in nearly 100. Ben says: "For general aviation, a large part of the work is changing hearts and minds - sitting with Air France, Airbus, easyJet, Lufthansa, NATS, DFS Germany and so on, and talking to them about how GA will live alongside them in the future. There has been a trend in Europe for commercial air transport to be the only game in town. That trend needs to be changed, and we do that by interacting one on one with these thought leaders."

In pursuit of the goal of making SESAR understand GA better, Martin Robinson and Michael Erb had a meeting with the senior executives of SESAR, and as a result, general aviation and rotorcraft-specific groups have been set up to update the master plan. IAOPA has brought on board other GA organisations to ensure cross-industry solutions were developed. Martin Robinson concluded by saying that SESAR was a significant consumer of IAOPA resources, but IAOPA Europe was the only GA organisation formally to get involved with SESAR from start to finish. Others had been able to give some short-term input on specific areas, but it had fallen to AOPA members to pay to ensure general aviation's future. "Members are getting terrific value for money, and non-members are being subsidised by the members," he said.

Special deal for all AOPA members from Jeppesen

IAOPA and Jeppesen have come together to offer AOPA members four months free subscription to the JeppView digital chart service. It's easy to apply, there's no obligation, and if you're already a subscriber you'll get four months free so you don't feel left out.

Cay Roth, of Jeppesen's Frankfurt office, explained the digital system and the offer, worth about €125, to the IAOPA Europe Regional Meeting in Friedrichshafen. He illustrated the growth of clutter on paper IFR charts over the decades, to the point where today's charts - he used the New York area as an example - were a barely-decipherable mess, and there was enormous pressure from the authorities to put even more information on them. With a digital presentation, you get only what you need for the flight in hand, and the number of sources for data - online, by phone, paper charts etc - are reduced. In-service testing of the system has found that pilots very much prefer it.

The mobile solution is the way ahead - with the Apple iPad leading the charge. A pilot preparing for a flight at home could do so on an iPad; en route, the information he needed could be presented on the iPad or the aircraft's MFD; and in a hotel the mobile delivery of data to the iPad once again makes planning easier.

The airlines want to go down the iPad route, Roth said - it had 98 percent of the market - and there would also be Motorola Xoom and iPhone solutions. The FAA has certified the iPad for this use, but what of Europe? "We did try to talk to EASA and they're not ready to talk at all," Roth said. "But we have had more success with national authorities, in Germany, in Austria - we are training the UK inspectors on the system in May. There's a totally different attitude from CAA to CAA. It ranges from full appreciation of the possibilities to 'What's an iPad?'"

US charter company Exec Jet Management has flight-tested the system, operating 250 flight segments on 10 different aircraft with no reported problems. Their pilots are extremely enthusiastic about digital JeppView.

If you want to try JeppView, contact your AOPA and they'll give you a code and a number to call. Jeppesen will ship the initial software for installation on a laptop or iPad, and it will operate for four months. Specify your country, and whether you want IFR or VFR. If you like it, you can subscribe - if not, let it lapse. As previously stated, if you're already a Jeppesen customer the company will extend your subscription by four months. "It's a win-win for everyone," said Roth.

Russia makes headway on airspace liberalisation

AOPA Russia has produced an excellent Google Earth download which shows Russia's complex restricted airspace, with details of each area available on-screen. Vladimir Turin of AOPA Russia said the long campaign for airspace liberalisation had borne fruit when new regulations officially gave Russia Class G airspace, mostly to 4,000 feet.

However, the various authorities had retained about one and a half million square kilometres of restricted airspace, activated by NOTAM. The website helps pilots pick their way through the minefield. See http://aopa.ru/maps/aopa_russia_airspace.kmz.

Foreigners flying into Russia will find that little has changed. Vladimir says: "You need permission to fly into Russia,

and if you try to fly in uncontrolled airspace you need another special permission which might take seven days to get. It's a multi-level permission from three separate authorities and you must fly the full route. There is a draft regulation that might remove some of those requirements, so there may be some progress in the summer."

Austrian departure tax to hit some GA operators

AOPA Austria has had some success in rolling back a passenger tax which has been imposed at its six major airports and hits GA as well as commercial air transport. Following representations from the Association, the authorities have exempted passengers on aircraft under two tonnes from paying departure tax, which was applied on a rising scale depending on distance flown, with a minimum of €8 and a maximum of €36. The tax was introduced on April 1st at Vienna, Graz, Innsbruck, Klagenfurt, Salzburg and Linz, and its effect was exacerbated by the fact that it is accompanied by a bureaucratic requirement to ensure payment. Before the tax can be paid, an operator must register the aircraft with the authorities and nominate a 'fiscal representative' in Austria - a lawyer, tax advisor or similar - who will take responsibility for payment, usually with a 'facilitation fee' added. If you fall into the tax bracket, AOPA Austria can help you with all the bureaucratic rigmarole.

AOPA Greece stages Kavala Fly-In in June

AOPA Greece is behind the biggest fly-in of the year in that part of Europe, which takes place at the airfield of Kavala from June 3rd to 5th. Anton Koutsoudakis of AOPA Greece reports: "In co-operation with Egnatia Aviation and local authorities, AOPA Greece invites you to the Kavala Fly-In and Air Show 2011 at LGKV. It is the greatest aviation celebration of the year in south east Europe." Anton's contact details are on the website www.kavalafly-in.com.

50th anniversary of the founding of IAOPA

The 26th IAOPA World Assembly is to be held in Stellenbosch, South Africa, from April 10th to 15th 2012. AOPA South Africa has managed to reduce the cost of registration and accommodation to the level of four years ago, and the Assembly will have an extra dimension - it marks the 50th anniversary of the foundation of International AOPA in 1962.