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IAOPA (Europe) e-News Jan 2011

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

Two years grace on third-country registrations? - Maintenance rules leave unanswered questions - Malta plans to capitalise on registration difficulties - Frustration boils over in Italy - IAOPA backs updated SESAR CONOPS - Germany winning VFR infringements battle

Two years grace on third-country registrations?

Pilots and operators of aircraft on the N-register continue to be the meat in the sandwich as Europe and America attempt to resolve trade issues, and the future does not look promising. EASA's proposals to hamstring the N-register operator in Europe have been put back to 2014 and are now said to be subject to bilateral negotiations which may or may not produce a workable compromise – and the evidence of recent history indicates that no user-friendly solution will be found. In fact, it seems we have won a two-year grace period before the boot goes in.

At its December meeting the EASA Comitology Committee postponed from 2012 to 2014 the adoption of EASA's proposals on third country licensing. In the meantime the committee hopes the matter can be dealt with by way of bilateral agreements between Europe and America. In fact the first bilateral – known as a BASA – is due in spring, although it makes no mention of licensing. The hope is that flight crew licensing agreements can be added later by way of annexes. Unfortunately the negotiations on bilaterals have been characterised by ill-will on both sides.

IAOPA's lobbying of members of the EASA Comitology Committee and European Commission indicated that while they were wary of the damage EASA's proposals would cause, they were more concerned about the ability of national aviation authorities to handle the change from national to EASA licences, and the introduction of new third-country rules at the same time might be too much to cope with. IAOPA Senior Vice President Martin Robinson says: "The difficulty when it comes to lobbying on these issues is that everyone agrees with you, but won't change position. Nobody claims there is a safety issue, everyone accepts that the economic damage will be substantial, yet the status quo is impossible to maintain.

"Everyone says they want full reciprocity from the other side, while secretly trying to give less than they receive. Full reciprocity would be great for general aviation as long as we had a sensible validation system; imagine if you had an FAA IR and the process for converting it to a European equivalent was simple and sensible. But how likely is that? At the root of the argument is government support for Boeing and Airbus, and everything from downline repair station charges to pilot licensing is governed by that. We are small cogs in a large intercontinental dispute, and bigger wheels are going to grind us up."

Maintenance rules leave unanswered questions

New EASA proposals on maintenance of third country aircraft in Europe – they're attacking this issue on multiple fronts – do not seem to be as onerous as they might have been. For commercial operators of non-complex types EASA is proposing that a maintenance programme be agreed between the operator and the maintainer. The maintainer can either agree the programme with the state of registry, or be accredited by EASA as a CAMO(T) to work on third country aircraft.

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While this does not pose insurmountable problems, there are questions left hanging. No provision is specified for aircraft whose type certificate is not accepted by EASA. An N-registered aircraft which is forced to accept an EASA directive, say on a wing spar modification, will invalidate its FAA registration by doing so. What then? And operators of American flight schools teaching Europeans will be required to conform to European maintenance regulations, not those of the FAA, on American soil. Will the Americans accept this? And will it be just another level of bureaucracy, or a game-stopper?

Malta plans to capitalise on registration difficulties

Malta is planning an aircraft registry which could take advantage of EASA's third-country crackdown by offering a lower-cost haven, particularly for business jets. Up to now Malta has instructed its GA owners and pilots to operate their aircraft on the N-register and conform to FAA regulation. EASA will however make this impossible, and Malta has woken up to the possibility of challenging the Isle of Man as a registry of choice for the business operator. The Isle of Man, nominally not part of the United Kingdom, set up the M-registry two years ago, and while the registry is open only to aircraft over five tonnes for owners who have business connections on the island, the Maltese aim to cast their net somewhat wider.

Frustration boils over in Italy

Pilots in Italy have been driven to extreme measures by new bureaucratic demands and have overstepped the mark in their frustration. Members of Treviso Aero Club found the entry to their club barred by airport management, who insisted that henceforth they could get in only by passing through the passenger security checks at the airline terminal, and that no-one who did not have a pilot's licence, whether relatives, passengers, secretaries at the Club or even mechanics, would be allowed in. Tempers boiled over, and the enraged club members erected a sign above the entrance conveying exactly what they thought of their treatment. Modelled on the 'Arbeit Macht Frei' sign above the entrance to Nazi concentration camps, it said: 'Fliegen Macht Frei'.



Scandal ensued, with the President of the Italian CAA sending a formal statement to the media ordering the club to immediately remove the sign. The local Jewish community said the sign was an "insult to the Holocaust" and the police authority began an investigation into the club's legal position. AOPA Italy countered with a press release saying: "While the comparison between the Holocaust and the airport authority is exaggerated, we do not think there was any intention to insult anyone, and the initiative of the airport authority was totally mindless and illegal." The statement was signed by the former President of AOPA Italy Massimo Levi, whose family

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suffered greatly during the Nazi onslaught on the Jews.

Massimo Levi says: "The story made the front page of most national newspapers and TV news bulletins, but luckily, TV images did not show only the contested sign, they also showed photos surrounded by a 'concertina' of wire netting very similar to the ones we can see on history books placed around concentration camps." The sign was removed, and after a week the Treviso police commander exonerated the club President from all accusations, and the airport authority quietly removed all the obstacles.

Massimo says: "It was done too quietly, in our opinion. The question remains – do we really have to go on newspapers' front pages to obtain what is normally recognised as a basic right, the right to practice the sport we enjoy or the right to travel the way we choose?"

IAOPA backs updated SESAR CONOPS

IAOPA's Michael Erb has been working with a group of general aviation and rotorcraft representatives to update the SESAR Concept of Operations, a key document underpinning the future Air Traffic Management strategy for Europe. This is an important exercise in ensuring that the future system in Europe meets GA's needs. IAOPA strongly endorses the initiative, and looks forward to it having a real effect on the end solution. Our contributions to the SESAR work programme continue to gather pace, with our staff directly involved in over 40 operational and technical projects, ensuring that GA requirements are taken into account. AOPA UK's Ben Stanley says: "The Christmas break gave a welcome pause for breath!"

Germany winning VFR infringements battle

AOPA Germany reports that pleasing progress has been made in reducing VFR airspace infringements, which are down from 184 in 2004 to 24 in 2009 (to August). Germany's Flight Information Service has introduced a number of initiatives which have had a real impact on infringements and which should be studied by pilots and air traffic services in other countries. Herwart Goldbach of the FIS says there are three main factors: *Airspace simplification. Controlled airspace boundaries have been straightened out and dimensions reduced where possible.

*Pilot awareness. FIS teams have been visiting fairs, air shows and displays providing information designed to prevent misunderstandings between pilots and air traffic controllers.

*New ATC equipment. A system called Phoenix, developed by Deutsche Flugsicherung, helps controllers keep track of traffic which may need special attention. Controllers can assign radar targets different colours, depending on how much help they may need, and can display individual aircraft in separate windows. Phoenix also makes it possible to overlay radar targets on an ICAO or approach chart, which is particularly helpful if a pilot loses orientation. Every FIS station now has internet access so controllers can retrieve up-to-date weather data at any time and forward it to pilots. It will in future be possible to upgrade Phoenix with enhanced weather displays such as rain radar and METAR, and the option to send a screenshot showing the current or last known aircraft position to search and rescue services by e-mail or text message.

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