



EUROPE AIR SPORTS

The Association representing National Aero Clubs and European Air Sports Organizations in Regulatory Matters with European Authorities and Institutions.

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THE PRESIDENT OF EUROPE AIR SPORTS, SIR JOHN ALLISON, ADDRESSES EUROCONTROL'S GENERAL AND BUSINESS AVIATION DAY, 8 April 2005, AT EUROCONTROL HEADQUARTERS IN BRUSSELS

In a short but important address to an audience of the leading European aviation regulators and officials in the European Union, as well as many from the aviation community of pilots, operators, manufacturers and aviation service providers, Sir John Allison set out the key issues affecting the future of air sports and recreational aviation in Europe.

Sir John's address was:

“Firstly I would like to thank Mr Aguado and his officials of Eurocontrol, also Phil Boyer of IAOPA, for their kind invitation and hospitality, and especially for affording me the privilege of addressing this meeting.

I have the honour to be President of Europe Air Sports. This is a truly European organisation, with delegates from nations across the European Union. The member National Aero Clubs nominate representatives and also provide funding support. Delegates, valuable additional expertise and funds are also provided, as members, by European Air Sporting Unions, such as the European Gliding Union, the European Hang Gliding and Para Gliding Union and the European Microlight Federation.

Our principal objective is to “secure a regulatory environment in Europe that enables a safe, and an operationally, socially and economically acceptable development of air sports and recreational aviation in and across the member states”.

This has never been harder. We face two main challenges:

First, it is difficult for an organisation of volunteers, working in their spare time, to respond to the pace and volume of legislative proposals, generated by teams of full-time officials, now pouring out from the Commission, EASA and Eurocontrol.

Second, those organisations, although they do give us a hearing in many fora, do not have the needs of recreational flyers at the forefront of their agenda when initial drafting is done. So we usually find ourselves at the disadvantage of pushing back against air sports-unfriendly proposals, that officials are already set upon, often to very tight deadlines.

Also, an underlying difficulty is the breadth of the GA spectrum. For this reason, it is important that we have a good collaboration with IAOPA. We have neither the expertise nor the mandate to represent, for example, corporate aviation or the business pilot and there are also many important areas where our expertise and interests overlap.

The recreational and sport pilots in powered aircraft, glider and hang glider pilots, the microlighters, the home builders, the balloonists, the parachutists and the aeromodellers – these are our primary people. These are also the very people who are all too easily overlooked when the legislator reaches for his pen. But they are numerous - including the private pilots, there are some

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Regulatory: Air Displays, Airspace, Airworthiness, ComNav Equipment, Environment, Insurance, Legal, Licenses, Maintenance, Medical, Safety.



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700,000 of them across Europe. They are not directly members of Europe Air Sports, because individual membership is not how our constitution works. But they are democratically consulted and represented by us, through the membership of their Clubs and/or Unions.

It is for all these sporting and recreational pilots and aviators that I take the opportunity to speak.

Some in the audience may find the next passage a bit emotive and provocative, but I feel the necessity to be controversial, because too often it is forgotten that at the receiving end of all legislative changes are the hapless citizens – real people leading real lives who have little interest in politics. They will accept reasonable, proportionate and necessary change, but otherwise they just want to get on and enjoy their recreation without undue interference. I am one of those.

Having regard to the large numbers of these ordinary citizens affected by changes to the aviation environment in Europe, I would caution legislators and politicians concerning the social and political health of the evolving European Union. Until recently, the citizens of Europe had experience only of the impact of national law on their pursuit of flying for sport and leisure. On the whole that experience was satisfactory. Nobody was unreasonably excluded by reason of disproportionate cost, excessive rules or by denial of access to airspace. However, almost all the changes, either already implemented or now in the pipeline, are adverse for the recreational pilot. If new rules introduced by the institutions of the Union change the lives of its citizens for the worse, it can be no surprise if resistance to the entire European project is the outcome. I believe that is what is happening in my own country.

It is not persuasive to deploy the mantra of free movement across Europe as the primary justification. Many – especially the huge numbers who have no interest in flying far from their home airfield - would consider the price they are being invited to pay – either in monetary terms or in reduction of freedoms - is too high. I acknowledge of course that to many others free movement across borders is very important. However, it is difficult to understand why, for recreational aircraft, we cannot just accept the existing airworthiness, maintenance and licensing regimes of all member states. These systems are already delivering an excellent level of third party safety – so why move away from them?

That said, the proposed approach by EASA to regulate none but the most general requirements (essential, so called) for recreational flying at EU level and leave the practical implementation to national or governing body level, is a very positive step.

Let us hope that the politicians agree.

Some of the most successful risk management regimes are based on delegation of responsibility to the activities or sports themselves, where the real knowledge and expertise lies. Also, aircraft weighing less than two to three metric tonnes simply lack the mass and energy to pose significant risks to third parties on the ground in the event of a crash. There can be no safety case for pouring effort into harmonisation of rules for this class of flying machine, as the effort would be disproportionate to any possible benefits

I come now to what we want for our people.



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First, that the guiding principle for the transfer of governance from national authorities to a European authority should be “what is permitted and conducted safely today in individual countries, should continue to be permitted under the new regime – at least at national level” The transfer will then gain ready acceptance by those affected.

Second, that the non-commercial operation of all aircraft of less than 2730kg MTOW, should be categorised as sporting and recreational aviation.

Third, that the broad regulatory policy framework for sporting and recreational flying should be set at the European level, but that operational and technical authority should be delegated to national level, including to individual sports and management bodies, where satisfactory delegation either already exists or is demonstrably possible.

Finally, this is a Eurocontrol day and I have said little so far about airspace. Airspace regulation is crucially important to us because it is one of two things that can take us out of the sky entirely.

The other is medical standards, and on that I will simply say that I cannot perceive an intellectual argument for a standard for the recreational pilot more stringent than for a normal driving licence – but that is a debate for another day.

On the Single European Sky, one emotive issue that will not take us out of the sky, but is potentially deeply unfair, is charging. I say the concept is unfair because the sporting or recreational pilot has no need of the airspace structure or air traffic management system – in fact it is an obstacle to his freedom. The system is provided primarily for the protection and benefit of civil air transport and other commercial or professional users. Recreational pilots are obliged to work with, or around, it. That is fair enough, and, while I would not go so far as to argue that we should be compensated for the inconvenience caused, none of us feels that it is fair that we should be asked to pay for incidental use of a service that has been imposed upon us. Generally, we only use the ATM service because it is there as a consequence of airspace restrictions designed for the protection of civil air transport. This point renders the cross subsidy argument irrelevant - that case is skewed anyway because the airlines do not pay tax on their fuel and we do.

But reform of the airspace structure is a more critical issue because it has the potential to emasculate our activities. Whatever the structure, it will probably still be OK for the kind of aviator who wishes to fly a light aircraft from A to B. But air sports, such as competition gliding for example, do not fit easily within a fully managed air traffic environment, because of their need to navigate cross-country through the best available weather conditions. They can also operate well above the normal heights of other sports and recreational aircraft, as do balloons sometimes. Therefore it will be essential for the preservation of our activities that the top of the lower airspace should be set as high as possible (and in this respect FL 95 is definitely too low) and that the default category for the lower airspace should be G.

The value and importance of sport in society is recognised by the European Union. It is anchored in the Declaration on Sports of the Treaty of Amsterdam and the adoption of the Helsinki Report in December 1999. Legislation that undermined the ability of European citizens to participate in recognised World sports would be contrary to the intentions of the European Community.



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And so, ladies and gentlemen, my appeal to the officials and legislators is for real and genuine consideration for the air sports and recreational flying community, which comprises a substantial proportion of the total GA community.

In my own country, the UK, for many years we have had a very effective and genuine consultation process between users and regulator (the CAA), on all aspects of recreational flying. What we need in Europe is a parallel process that engages the vast experience and knowledge of the community I represent. It is dangerous not to consult the people who will be affected, and who understand the particular activity. Over the last two years there have been signs of progress on consultation, particularly with EASA, but the process must advance rapidly if it is to win the confidence of the participants that I represent today.

I hope that, by the end of today, the confidence I have in the willingness of officials and legislators within the European Community to respond positively to the challenges I have outlined will be reinforced.”

Editor's Notes

Sir John Allison

Sir John retired in 1999 from the Royal Air Force (UK) as Air Chief Marshal, Commander- in-Chief of RAF Strike Command.

In his earlier career he flew many of RAF's fast jets, and is still a keen pilot, flying his own light aircraft as well as the Shuttleworth Collection of vintage and historic aircraft at Old Warden (UK). He flies the Spitfire and other similar aircraft at air displays. One of his sons is a leading UK glider pilot.

Sir John was elected President of Europe Air Sports in April 2004 and took up the position in November 2004 following the retirement of Oliver Burghelle (France).

Europe Air Sports (EAS)

EAS is a Dutch registered voluntary organisation, members of which are the national aero clubs of 26 European countries, together with the pan-European air sport associations representing four of the main air sport disciplines – gliding, hang gliding and paragliding, parachuting, and microlight aircraft pilots. Other air sports represented by EAS are light aircraft (generally below 2,7 MT), aeromodelling, ballooning, amateur-built aircraft, and rotorcraft.

These activities are referred to generally as air sports and recreational aviation, and are distinguished mainly from business and commercial aviation by the amateur nature of participation, and the aircraft being at the lighter end of aviation.

EAS's main purpose is to secure a regulatory environment in Europe that enables a safe, and an operationally, socially and economically acceptable development of air sports and recreational aviation in and across the member states.

In this it addresses and represents its members interests in the primary regulatory areas of airspace, airworthiness, maintenance of aircraft, licensing, medical fitness to fly, operations, insurance, environmental matters and safety standards generally.

The EAS board comprises 6 directors, elected by the members at General Meeting, supported by a Secretary-General and Programme Manager.

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