

# EC says EASA has lost its way

The degree to which the European Commission's patience with EASA is wearing thin is starkly illustrated in a leaked letter in which the Commission demands a change of direction from EASA and effectively urges the Agency to stop 'reinventing the wheel'.

The letter, from the Deputy Director General of DGTREN, the Commission's transport department, to the EASA Board of Management is couched in undiplomatic terms which betray exasperation with the way EASA is working. The EC urges the Agency to consider reverting to JAR and ICAO requirements rather than making up new rules without any evidence that they would improve safety.

It follows an official complaint from EASA to the EC that it has neither the staff nor the money to do the work it has taken on. The EC's reply effectively asks EASA why it has created so much work that is neither necessary nor desirable. The Commission follows IAOPA in recognising that EASA has people beavering away around the clock making up new rules with no evidence that there is a need or a safety case for them, and in the face of industry opposition. It says that EASA's management needs to get a grip of the organisation, focus only on the issues that need to be addressed, adopt JAR and ICAO regulations if there's nothing wrong with them, and cut its cloth to fit its coat.

In the letter, DGTREN's Deputy Director Zoltan Kazatsay says the EC is "surprised and extremely worried" at the way in which EASA plans to handle the new responsibilities it is accumulating, and believes the amendments to regulations the Agency is proposing are too ambitious and endanger the timetable that underpins EASA's power.

Kazatsay says: "Precisely for this reason the Commission already called on EASA, in its opinion related to the work programme for 2009, to concentrate its resources on specific priorities defined in close co-operation with the Commission and the industry."

He stresses the importance of replicating existing legislation where possible, in order to ensure continuity and certainty for industry and to allow standardisation inspections to begin immediately. Kazatsay goes on: "The Commission notes that to this date, EASA does not propose practicable solutions to ensure that the implementing rules related to the EASA extension of competences would be adopted within the timeframe indicated by the co-legislators and contained in the basic Regulation."

Even for a letter clearly not meant for public consumption the language is strong. Kazatsay continues: "...the Commission believes the time has come to take clear decisions to steer the Agency in a different direction. In this respect it is essential to carefully consider the alternative of going back to the original structure and wording wherever possible of JARs and ICAO requirements, which should be transposed into Community law. This would ensure a smooth transition and allow EASA to work calmly in future on the ambitious improvements and shifts which have raised general concern and misunderstandings from both member States and stakeholders alike.

"The Commission strongly believes that the time has come to give a clear signal in this direction. This will allow first and foremost to

ensure safety (since the present system gives enough guarantees), it would also allow to respect the legal and institutional deadlines laid down by the member States and the European Parliament while at the same time paving the way towards a smooth improvement of the system in the coming years... In any event the Commission reserves the right... to proceed along the lines described above... the time has come to steer the work of the Agency in a clearer and more effective direction."

The EC's intervention is timely and could be very positive, unless EASA chooses to take the huff, adopt the JARs and throw out plans for genuine and much-needed improvements identified by its working groups and industry consultation bodies. The Part M maintenance requirements were the first real manifestations of EASA rulemaking that impacted on the industry, and the fact is that from the standpoint of GA they are significantly worse than what went before, with more needless bureaucracy, more down-time and greater cost. The old system wasn't broke, yet EASA squandered huge resources creating a new one, and when industry pointed out the

flaws during the consultation process, vague promises were made before the issues were largely ignored. To a greater or lesser degree, this approach governs all of EASA's work. Even where improvements are identified by working

groups, drafts come back from EASA with new stipulations, sometimes nonsensical, inserted by who know what hand? It's impossible to find out. And ultimately, regulations are written by EASA not to serve industry, but to satisfy European legal requirements, making them convoluted and sometimes barely decipherable.

The EC is now telling EASA to concentrate on the job it was originally set up to do.

IAOPA's Martin Robinson says the reference to JARs and ICAO is not a threat to revert entirely to the pre-EASA system but an instruction to stop meddling where no meddling is needed. "This is just the sort of shot across the bows that EASA needs, and I look forward to seeing how the Agency responds. The Commission has invested too much in EASA to allow it to fail, but it recognises there is a crisis here and it is good to see it taking positive action." ■



**The Part M maintenance requirements; more needless bureaucracy, more down-time and greater cost**

## Less Mode-S, more TMZs?

In a clear victory for common sense, the CAA has finally abandoned plans for the universal adoption of Mode-S transponders.

Instead, the Authority said in a statement issued in July, following an extensive consultation it has decided "to focus on the busiest and most complex areas of airspace for the expansion of Mode-S transponders".

While no mention is made of the Dutch farce of introducing universal Mode-S only to be forced to mandate that it be switched off, it can only have helped the CAA confirm that its original intentions on Mode-S were flawed and impractical.

The decision is a blow for aircraft owners who went out and fitted Mode-S on the basis of the CAA's stated intention to mandate it for all by 2012; however, it is clear that the CAA intends to make Mode-S a requirement in an increasing volume of airspace. In its July statement the Authority says: "The CAA will also amend the Airspace Change Process to allow air traffic control service providers to apply for the introduction of compulsory transponder carriage in other specific volumes of airspace. Under existing transition arrangements associated with the previous expansion of Mode S transponder carriage in UK airspace, operators of aircraft wishing to operate in mandatory transponder carriage airspace that are equipped with Mode A/C transponders have until 31 March 2012 to complete the necessary upgrades to Mode S."

While this makes a proliferation of TMZs an unwelcome probability, there is much to rejoice over in the CAA's new stance. Even gliders will be able to negotiate exemptions in certain areas of Class A and C airspace after

2012, when a total exemption from carrying transponders in Class A and C airspace (now everything above FL100) expires.

What the CAA calls its 'final decision' on the issue says: "The CAA intends to introduce:

- Regulation to require all aircraft (except gliders) flying within Class A to C controlled airspace to carry and operate a Mode S transponder with effect from 1 October 2009.
- An extension of the Mode S transponder carriage regulations to include gliders with effect from 6 April 2012.
- Amendments to the transponder carriage regulations applicable to Self-Launching Motor Gliders (SLMG) to bring these into line with the regulations for all other gliders."

It adds: "There will still be the option for air traffic control to allow non-transponder equipped flights into the airspace, providing safety and efficiency levels can be assured."

Mark Swan, CAA Director of Airspace Policy, says: "This second phase of transponder regulations builds on the introduction of Mode S as the means of compliance for mandatory transponder carriage which came into effect in March 2008. By adopting a measured approach, the increased use of transponders will enhance the culture of a collaborative approach to safety of flight by all users, without being unduly restrictive.

"Although gliders will now be included in the



transponder carriage rules from 2012, we will be encouraging agreements between gliding organisations and air traffic control to permit gliders without transponders to access controlled airspace where conditions permit. Even though there is a general requirement for transponder carriage above FL100 in the UK, there will be no requirement for transponder carriage on gliders when operating in current active designated gliding areas. We will work with gliding organisations to consider additional areas from FL100 upwards by 2012."



The CAA says it acknowledges the problems of fitting transponders to Self Launching Motor Gliders (SLMG) and will amend the regulations to treat them as other gliders for the purposes of the transponder carriage.

AOPA's chief executive Martin Robinson says: "We've certainly taken the long way round to get here, haven't we. When I first joined AOPA more than 20 years ago the motto was, 'Say no to Mode-S'. We are heartened that the CAA is now saying no to Mode-S everywhere except in Class A and C airspace, and that GA pilots who do their flying in the open FIR need not pay for Mode-S."

"We are obviously concerned at the implied threat of a proliferation of Transponder Mandatory Zones at the whim of ATC, and we will be watching the situation closely." ■

# An honest fee for an honest job?

The CAA has slashed its charge for adding an aircraft type to a Part M authorisation from £1,608 to £422, a 75 percent reduction which seems to take the price of the service from one random and arbitrary number to another.

In a letter to approved Part M organisations, the head of Applications and Approvals at the CAA's Safety Regulation Group, John Nicholas, says that following a review of variation processes associated with light aircraft, it had been decided to make the reduction for a trial period of six months.

The letter was sent out on June 21st, three weeks after *General Aviation* publicised the case of an engineer in Bodmin who had been charged £4,000 to amend his ticket after having been told initially the job could be done

## CAA back for another handout

SEARCHING FOR SOLUTIONS TO reduce the cost of Part M authorisation, the CAA has slashed its charge for adding an aircraft type to a Part M authorisation from £1,608 to £422, a 75 percent reduction which seems to take the price of the service from one random and arbitrary number to another.

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and charging elsewhere in this magazine, and Netherlands President Ary Stiger is very busy. He and his members engaged in a spirited discussion about IAOPA Europe, which provides them with a good deal of support on domestic issues which affect all nations.

On June 1st I met with the Governor of the Hellenic CAA accompanied by Yiouli Kalafati and Anton Koutsoudakis of AOPA-Greece. We had a general discussion about GA in Greece, as well as the impact of EASA and Single European Sky. I welcomed the recent announcement regarding wider distribution of avgas, pointing out that this was a major safety improvement for GA in Europe as well as Greece. The authorities seem to be well-intentioned towards GA but achieving progress is a long job. From June 2nd to 5th I attended the EASA/FAA Safety Conference in Athens. Overall, the Conference was disappointing from a GA standpoint – however, during some of the workshops I was able to raise a number of issues, particularly on the rulemaking process. I stressed the point that given the general lack of data on GA's activity, EASA needs to listen carefully to what Associations tell it. Whilst this was acknowledged, IAOPA Europe and AOPA-UK intend to keep pushing for refinement of the rulemaking processes. Our belief is that EASA should only regulate our activities when there is a safety-based need to do so.

On June 8th I had a meeting with Frank Bannister of Besso, and Tim Scorer, a lawyer and long-time friend of AOPA, to discuss at length the subject of mentoring, what legal

for nothing. The case and its aftermath highlights the impossibility of getting a handle on CAA costs, and the basis on which its charges are calculated.

£4,000 is a fabulous sum for an engineer to be forced to pay when it represents more than a month's income, especially when it simply allows him to carry on doing what he's been doing professionally for years. AOPA's CEO Martin Robinson says: "How would you feel if some third party came along and charged you £4,000 to be allowed to

carry on doing your job? Engineers did not decide to change the JAA into EASA, they had no real say in the creation of Part M, yet when they ask the CAA why they are being stung like this the answer is always, 'User pays'. They live in a world of fantasy values."

The reduction may be more than compensated for by the fact that it is made

## Chief executive's diary:

# All eyes on Europe

I suspect European issues would be taking up most of my time now anyway, but since I was appointed IAOPA-Europe Senior Vice President I've had an additional responsibility for helping to promote AOPA in other countries where it is weaker than here in the UK. Our status as a pan-European organisation, and indeed as a global network, gives us a voice in forums as diverse as ICAO in Montreal, Eurocontrol in Brussels and of course EASA in Cologne, and every AOPA-UK member benefits from our international scope.

As part of my European role, I have been attending other national AOPA AGMs. The first of these was on May 16th and 17th, when I visited AOPA Denmark – Jacob Pedersen, the President of the Danish AOPA and IAOPA representative on the important EASA 008 working group, chaired the meeting. I was able to explain the working relationship between the national AOPAs and IAOPA Europe – the structure and workings of the European machine. The Danish AOPA members were very appreciative; of course, they also received *General Aviation* magazine and are well informed on key European issues.

Another regular meeting in my diary is the Industry Consultation Body, which engages in Single European Sky legislation and SESAR, Europe's long-term ATM modernisation programme. Through this body IAOPA is

monitoring the development of Functional Airspace Blocks (FABs) and charging. I went on to Brussels for an ICB meeting on May 18th, and on to Prague between May 21st and 24th to meet with Lubomir Cornak, the current President of Czech AOPA. Mandy Nelson and I also attended the Prague Expo, where we had an IAOPA booth promoting all aspects of GA and membership of national AOPAs. I particularly appreciated the opportunity to meet with a number of AOPA-UK members who'd made the trip to Prague for the Expo.

On May 27th I spent a productive day in Jersey accompanied by Charles Strasser, AOPA's Channel Islands Regional Chairman. We met with Fergus Woods, the Director General of Civil Aviation in the Channel Islands, and discussed at length the possibility of NPPL SSEA licence holders being permitted to fly to the islands – the NPPL has not up to now been adopted there. It was an extremely positive meeting and I am hopeful for a positive change to the law later this year.

On May 28th the Executive Committee of AOPA met at our offices in London, and on May 30th I spent the day with AOPA-Netherlands at their AGM. There's a lot happening in Holland at the moment, as you will know from stories about Mode-S, ELTs,



clear that every type will cost £422, whereas previously it was generally possible to add a number of types at the same time for the same fee. But once again the charge illustrates how grotesquely out of balance the regulation of GA has become when compared to GA itself. Martin Robinson says: "The CAA pays its people airline-industry salaries but asks them to bill the cost to general aviation, which is simply staggering under the burden of regulatory cost. If GA must be regulated – and it should only be regulated where it is absolutely necessary, and with the agreement of the industry – then the people who do it should be paid on the basis of general aviation salary norms.

"But the financial structure of the CAA is so nicely muddled to the CAA's advantage that it's impossible to get to grips with the CAA's cost base, and it's getting more muddled all the time."

At a recent aviation gathering, CAA personnel complained that GA "wants the CAA to go bankrupt" and cast itself on the mercy of the DfT. Not so – GA wants to pay an honest fee for an honest job. But it would like to see the regulator subjected to some of the business disciplines under which GA companies must operate, which in the current climate means introducing words like 'downsizing' and 'outsourcing' to the vocabulary. The CAA has two massive and costly headquarters buildings, in Kingsway and at Gatwick, and

and liability issues the Association might face, and how best to mitigate them – more to follow on this. The Association of Chief Police Officers continues to run a training course on GA awareness with the intention of designating about 900 officers countrywide as GA points of contact, and on the 11th a course was held in Fife, attended by about 50 police officers from different forces. Prior to attending the Course I went into the BBC to do a radio interview on the emerging eBorders issues.

From June 12th to June 14th AOPA was at Aero Expo at High Wycombe – a good event where we enrolled a gratifying number of new members. Our Chairman George Done also gave out the AOPA Awards to some very worthy recipients. On June 17th we had the AGM of the NPLG Limited – this company is co-owned by AOPA with BGA and LAA, and runs the NPPL. NPLG is in relatively good shape given the current economic downturn.

On June 26th the DfT hosted a day-long conference to consider the impact of the Olympics in respect of airspace. The DfT mantra was 'business as usual', but I have raised our concerns with regard to TRAs and possible impact on the training industry.

NATS spoke about dealing with an additional 1,000 business aircraft visiting, with peak traffic flows around the opening and closing ceremonies. AOPA is concerned about where this traffic may park! No consideration has been given to how many more VFR flights may arrive from Europe.

I met with Chris Finnigan from CAA on June 22nd for a discussion of infringements.

until recently the London building was half full because NATS decamped when it was privatised. One of those buildings should surely go. Is there any reason why the CAA should handle licenses and ratings? Could the job not be outsourced to the DVLA, who have long experience of handling such work quickly, efficiently and far more cheaply? Does the CAA really need to have a medical department, and

to make work for it? Does it need a flying unit, or a legal department, or could those functions be passed on? If the airlines complain they're paying the CAA too much, the answer is not simply to press harder on GA's windpipe; at a time when quangos are once again under the political microscope, the CAA must take a serious look at how it runs its business, and bite the same bullets as industry. ■

## AOPA Annual General Meeting

The Annual General Meeting of the British Light Aviation Centre Ltd, trading as the Aircraft Owners and Pilots Association of the UK, will be held on Monday 14th September 2009 at The Clarendon, 52 Cambridge Street, London, SW1 4QQ (venue to be confirmed), commencing at 2.00 p.m. The formal announcement and agenda of the AGM appears on page 10.

Any member wishing to elect another member to the Board of Management must provide notice in writing at least 35 days in advance.

A set of accounts will be provided in advance of the meeting on the AOPA website [www.aopa.co.uk](http://www.aopa.co.uk) together with brief personal details of the members offering themselves for election and re-election. These data will also be available at the AGM.

Following the formal business of the meeting, there will be time for informal reports from the Chairman and CEO and for general discussion

Tea, coffee and biscuits will be available from 1.30 p.m. and it is expected that the meeting will finish by 3.30 p.m. Members who intend to attend are requested to please let the AOPA office know in advance, either by telephone (020 7834 5631), email ([info@aopa.co.uk](mailto:info@aopa.co.uk)), or by post to AOPA, 50a Cambridge Street, London SW1V 4QQ, and to receive confirmation of venue.

This arose in response to the article in the last issue of *General Aviation* in which I urged that the CAA crack down on cavalier or recidivist pilots who infringe airspace, by taking away their licenses if the enormity of the offence warrants it.

On June 29th we had an internal AOPA meeting in Victoria reviewing our various activities, then on July 2nd I attended ACEP, the acronym for Airspace Communication Education Planning. This was the latest in the series of such meetings which primarily focuses on airspace infringements, where the emphasis is shifting from communication to education, or how best private pilots can educate themselves by using the correct material. AOPA argues in favour of better navigation training, particularly during basic training, as well as formal training in the use of GPS when flying VFR. There's a CDROM due out soon on 'Using GPS as an aid to VFR navigation'.

On July 5th I flew down to Lee-On-Solent for the Lee Flying Association's open day – see separate article in this issue. There's also a page further into the magazine on the Historic Aircraft Association – I met with a small HAA delegation, led by Wally Epton, another long-time friend of AOPA, and we have promised to strengthen ties between the organisations, particularly on European issues. Then on July 7th and 8th it was back to Brussels to attend the EASA workshop on Operations, a vast subject but one where IAOPA has many concerns. And that's pretty much where we came in.

**Martin Robinson**

## Lee Open House

I am sure that many members have been following the reports in *General Aviation* in respect of the long-running problems at Lee-On-Solent. So it was a real pleasure for me to be invited to the official opening of the Lee Flying Association's Clubhouse on July 5th. The first thing I had to do was brief myself on the arrivals procedure. Lee has no overhead



**Martin and son Azeem at Lee on Solent**

join because of the gliding activity on the south side of the airfield. On first reading, the rules at Lee may put one off. However, the reality is that flying into Lee is quite straightforward. There are two requirements prior to departure – (a) fax a copy of your aircraft insurance to the Aerodrome Manager, and (b) to telephone the contact number for a final verbal briefing.

Lee-on-Solent is a very fine aerodrome, and all credit for its continued availability for GA must go to the Lee Flying Association – John Butts, Malcolm Barton, Mike Cross, to name but a few. If you are looking for somewhere to go and want a new aerodrome in your log book, you are sure to get a welcome at Lee-on-Solent. - *Martin Robinson* ■

# ATSOCAS – why?

In the June issue of *General Aviation* we asked for members' experiences of flying under the new ATSOCAS procedures, which replaced the old 'RIS and RAS' system in March. A précis of the replies might be: 'Plus ça change, plus ça meme chose...' but the consensus seems to be – don't change it again, that's enough!

ATSOCAS was introduced on March 12th and replaced the old Flight Information Service, Radar Information Service and Radar Advisory Service with four new categories, basic, procedural, traffic and deconfliction. The idea was to make flying safer by standardising the service so that pilots knew what they were getting, creating a common approach for military and civilian ATC services, and improving pilot understanding of the system.

From the replies we've had, it's clear that ATSOCAS has done little to improve standardisation. Particularly at the basic level, the service depends on which side the controller got out of bed. Sometimes you're ignored, sometimes you're shepherded like a sick child, and workload seems to have little bearing on what you get. What pilots want, and what they effectively asked for during the consultation, is as much help as possible to avoid the other fellow... a basic service is a service in name only. Some replies said they no longer bother to ask for a basic service.

Is the basic service as good as the old FIS? One pilot wrote: "It seems that the new basic service, possibly due to the fact that controllers are 'forbidden' to provide elements of a higher service to users, is less safe than the old FIS. Military controllers seem to be withholding traffic information where before, they would pass lots of traffic information. On a recent flight, we were under basic service and they weren't busy, yet an aircraft passed less than 500 feet directly overhead. We saw and avoided it, but were given no information by air traffic control. When under the old FIS, one got the feeling that someone was watching over you all the time, even if the service didn't require it, yet now, the basic service seems practically useless."

In a similar vein: "The basic service is a complete waste of time and a retrograde step for air safety. As a PPL Instructor and Examiner I can only suggest to students to tune in to Birmingham, Coventry or Gloucester and just listen out, just in case an emergency call needs to be made. The help that used to be offered with RIS etc, just isn't forthcoming any more."

Another wrote: "Safety is not improved, rather the opposite. The basic service is worthless with little or no conflicting traffic information. I have already been in closer than desirable traffic conflict on Farnborough 125.25 with no word at all from the controller. Unless traffic service is offered there is no point in trying to get a call through to them."

The idea of starting off by requesting a traffic service, under which you'll be passed surveillance-derived information on conflicting traffic, was suggested often. Anything less is not worth a candle, and they can only say no. Ask for a procedural service where you know there's no radar.

Lest this all sound entirely negative, it's important to make clear that GA pilots value ATC services highly, and that most are helpful

beyond the requirements of the service requested. One pilot summed it up thus: "I commute most weeks from Old Sarum to Hawarden in my Mooney M20E. I generally speak to several LARS providers en-route including Boscombe Down, Lyneham, Brize Norton, Bristol Filton, Gloucester, Shawbury and Hawarden. Unless flying IMC I tend to ask for a Traffic Service. I have personally found every provider to be exceptionally helpful, consistent in their service provision and as accommodating as possible in granting any additional requests such as actual weather at destination, or to route through their zones.

I appreciate that 'due to poor radar cover, there is limited surveillance for the next x miles' is a far too regular phrase which we hear, but that is an infrastructure problem and not the operators who are limited by its deficiencies. Having an extra pair of eyes looking out for me fills me with gratitude and I believe credit should be given where it is due."

Some points made in replies:

"The old FIS/RIS/RAS seemed to work okay in my view – everybody knew what they were receiving. Couldn't the military use this?"

"The previous system was perfectly clear, the present system much less so, with one unnecessary category, it seems to me."

"Some pilots do not even know that the system has changed over. I heard ATC at Bournemouth say to a transiting aircraft: 'We do not offer a Radar Information Service any more – we can only give you a basic service at this time.'"

"On numerous occasions I have asked for a traffic service but only been offered a basic service due to various reasons (workload/high traffic density etc). However, having been given a basic service, the *actual* service has been a cross between basic and traffic, with traffic information being given most of the time, which I suppose is better than nothing."

"The nomenclature is easy but non-standard and so may cause confusion for foreign pilots, but I don't think many of those were well versed in the subtleties of RIS and RAS anyway, so it won't make much difference."

"On reading the definitions that govern the scheme, I concluded that it was the product of a committee of lawyers and ATCOs whose purpose was to protect themselves from any blame that might result from unfortunate events."

Those who were involved in the original work on ATSOCAS say it didn't come out the way it was intended; once the pilots had their say (they were generally happy with FIS/RIS/RAS) it was passed to a committee of ATCOs who originally proposed five levels of service, later cut down to four. It was felt that, because a lot of work had gone into the review, a name change was required; some people were not happy with this, but the rationale behind the name change was to force pilots and air traffic controllers to re-educate themselves, which undoubtedly they have done.

And there's no appetite for further tinkering. Several pilots stated flatly that it should be left alone to settle down, and that despite its manifest deficiencies, nothing was to be gained by revisiting the system. In summary, members' advice is – don't bother with basic, ask for traffic service where there is radar, procedural where you know there's not, and deconfliction in IMC. And keep your eyes peeled. ■

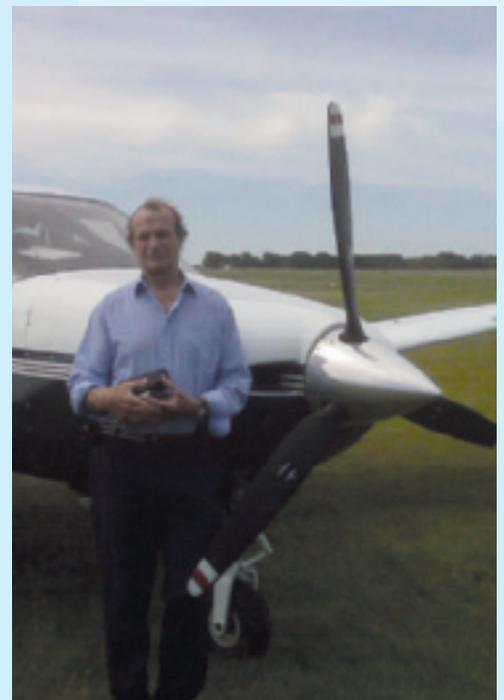
## New Dutch charges

AOPA member Mike Perry has discovered to his cost that new 'take off' charges have been imposed at some Dutch airports, and he has been hit with a bill for €294.

Mike visited Maastricht twice in his Commander 114B to visit a nearby boatyard, and on each occasion paid landing and parking fees of some €60. Some weeks later he received a bill from Eurocontrol for two charges of €147 for 'taking off' from Maastricht.

Mike says: "I telephoned the Route Charge office to find out what this charge was for to be told that this airfield plus Amsterdam, Gronigen, and Rotterdam all levied this charge, to be collected by the Route Charge office, and it applied to all aircraft. I have since, through AOPA, seen the AIP Netherlands Gen 4.2-1, which sets out the conditions for charges. From the example they give, a microlight will be charged €147 and a 63-tonne aircraft €174.93! Seems fair enough.

"I have been running a flying school in Guernsey for the past 12 years, primarily doing high performance single training for the more adventurous flyers. Consequently most of my flying in that time (about 7,000 hours) has been in Europe. My visits to Holland have been infrequent but never before had I been aware of this charge. Certainly, flying there has become more difficult and expensive. They



**Mike Perry and his Commander 114B**

have muddled rules regarding Mode-S and the fuel charges are huge – what's more some will not take fuel cards, bank cards or cheques, it's cash only.

"The Netherlands seems hell-bent on ridding GA from its airspace. I suppose the advice is, if you're thinking of flying in Europe, don't go Dutch." ■

# Schiphol rules – be aware

Most infringements of the new airspace structure around Amsterdam now involve non-Dutch pilots, and Ary Stigter of AOPA Netherlands is asking all AOPA members Europe-wide to be aware of the changes made as a result of the chaos which followed Holland's implementation of a universal Mode-S transponder mandate.

In short, VFR traffic should fly with transponder set to standby under the Schiphol TMA. Maximum altitude is 1200 feet, not 1500 feet as indicated on the VFR chart. In addition, the CTR had been enlarged on the north and south sides, and this is published on the current Low Countries chart.

Ary says: "Our request to the international flying community is to comply with this regulation. The majority of infringements are now made by pilots coming from abroad. AOPA-Netherlands is working to get better access for VFR traffic, and our credibility increases when we prove that pilots can comply with the regulations and expanded safety zones are not necessary."

Holland has been the guinea-pig for Mode-S introduction and it has not gone well. Originally the Dutch mandated that all aircraft be equipped by 2007, including gliders and aircraft without electrical power. The Dutch CAA declined to delay the introduction while problems were resolved, partly because two fatal accidents occurred involving military jets and GA aircraft without working transponders. AOPA-Netherlands fought for the retention of Mode-C transponders which would give the necessary TCAS alerts, but the CAA insisted on Mode-S. They finally agreed to a delay until 2008 when it was clear Mode-S transponders simply did not exist for gliders and planes with

no electrics, with a gradual introduction required for them up to 2010.

AOPA's fear that Mode-S returns would swamp ATC radar were dismissed, even though for many years having an activated transponder had not been allowed under the Schiphol TMA, where VFR traffic could operate up to 1500 feet, due to the risk of TCAS alerts for CAT aircraft 500 feet above. A minimum vertical separation of 800 feet is needed to avoid the TCAS alert.

VFR traffic has been operating in the area for 20 years without transponders and without any non-transponder related incident or accident, but the pending obligation for Mode-S created difficulties north and south of the SPL CTR so an SRZ was introduced, with no

flying between 1200 feet and 1500 feet. On March 12th the SRZs were added to the SPL CTR Class C, with crossing approved after clearance from ATC. On the same date Mode-S was made mandatory for all aircraft above 1200 feet, and soon afterwards ATC radar screens were hopelessly cluttered by Mode-S returns. Despite reducing the tags to the lowest possible size the situation was too dangerous to be allowed to continue. As an emergency measure the VFR area below the TMA were closed.

AOPA proposed that transponders be switched off under the TMA until such times as radar could be equipped with filters to take out 7000 returns under 1500 feet. After some resistance, the CAA agreed to allow VFR traffic below 1200 feet with transponders off. This is the current situation – Mode-S is mandatory above 1200 feet and in the TMZ. You must report having the equipment on your flight plan. ■

## Dutch anomaly

AOPA-Netherlands and IAOPA-Europe are in negotiation with the Dutch CAA over an anomaly in ELT requirements which would make a saint swear.

As reported in the last issue of *General Aviation*, the UK CAA has issued a general exemption from the ICAO requirement for all aircraft to carry a fixed ELT. At virtually the same time, the Dutch CAA issued a similar exemption for their own aircraft.

Unfortunately, the Dutch CAA is insisting that a British aircraft flying into Dutch airspace is crossing an international FIR boundary, therefore it is subject to ICAO regulation, therefore it must have a fixed ELT. A group of touring aircraft were effectively prevented from leaving the UK when the situation came to light, but IAOPA managed to secure an exemption for them. However, the Dutch CAA says no more exemptions will be issued.

This ruling cannot be allowed to stand. If it is enforced it means, for instance, that no Dutch aircraft could leave Holland – the Dutch have filed a number of differences with ICAO on several matters, and if they demand that only ICAO-compliant aircraft can cross international FIR boundaries, they're stuck at home. But it does make you wonder what's going on in Holland. Best not to say too much while negotiations are in progress.

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# Self-certified medical

Did you know that if you fail your Class 2 PPL medical, you can still carry on flying with a 'self certified' medical declaration signed by your GP as if for an NPPL, providing you limit yourself to the NPPL UK-only flying restrictions and privileges – that means single engine piston aeroplanes in day VFR only with pilot plus up to three passengers. This



has been possible since September 2008 when the CAA issued an exemption in Official Record Series 4 Misc, ANO, General Exemption No.711 dated 8 September 2008 and effective until 31 August 2009. It seems likely that the exemption will be continued beyond that date.

For more details contact Pam Campbell at the AOPA offices on 0207 834 5631. Of course, if you are an avid reader of CAA's Lasors and have nothing else to do you will have spotted this as soon as it was issued. But I'm a lazy fellow and I only found out by accident, as did at least three CFIs I know.

When I lost my Class 2 CAA in January 2008 I resorted to an NPPL which cost me about £135 for the CAA licence-issuing fee. I recovered my Class 2 medical status in June 2008 and was due another Class 2 medical in June 2009. As I only fly single engine piston aircraft in daylight VFR I could have saved myself about £175 by not bothering with the Class 2 medical but getting my GP to sign me up for a DVLA Group 2 type medical. However, I like flying abroad so I shelled out for another Class 2 medical.

Because the CAA PPL licence is for life, if a pilot were happy to accept the NPPL restrictions and confine himself to the UK he could continue to fly on a GP-issued medical certificate for the rest of his flying life. Anyone with a JAR licence, however, could only operate with a GP-issued medical certificate until his JAR expired at its five-year validity date. To renew a JAR, a pilot must present a Class 2 medical, or at that stage resort to an NPPL. So, an unusual CAA simplification of the medical rules - and a welcome one at that! -  
 Tony Purton ■

**AOPA 2009 AGM**  
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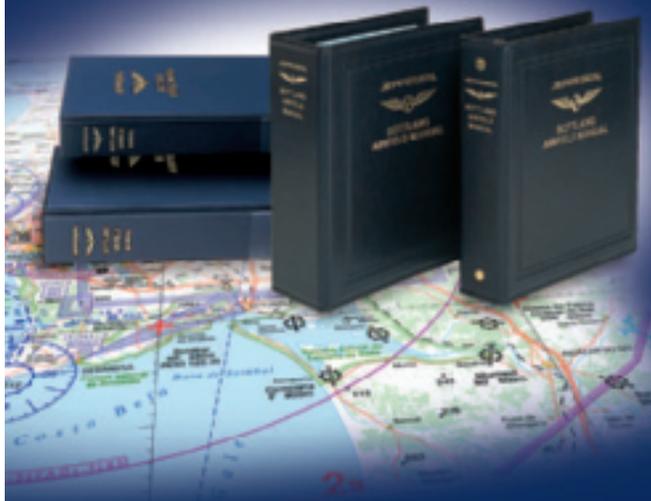
**THE AIRCRAFT OWNERS AND PILOTS ASSOCIATION OF UK**  
 43rd Annual General Meeting 2.00 p.m. Monday 14th September 2009

1. Apologies for absence
2. To confirm the Minutes from the 42nd Annual General Meeting
3. To receive and accept the Accounts for the year ended 31st March 2009, together with the Report of the Directors.
4. The election of Directors to the Board of Management. The following Directors are due to retire by rotation: David Bywater and Pamela Cambell. The following Directors are to retire due to having been previously co-opted: Charles Henry and Chris Royle. They all offer themselves for re-election. The election of other properly nominated Members of AOPA.
5. To appoint as Auditors Messrs Waller & Byford, at a fee to be fixed by the Board of Management.
6. To conduct any other business which may properly be dealt with at an Ordinary General Meeting.

By Order of the Board of Management

Gordon Train, Secretary

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# Security: we all play a part

Two separate reports covering general aviation security on both sides of the Atlantic have concluded that the risk of terrorism involving GA is largely hypothetical, and no new recommendations have been made for curbs on the industry in response.

In the UK, a report on the workings of the various Terrorism Acts by Lord Carlile QC states that there is no intelligence to say GA is being considered by terrorists as a method of attack, although it is a risk that must be guarded against.

In the United States, a report for the Department of Homeland Security concludes that the risk of terrorism through GA is 'limited and mostly hypothetical', and the Transportation Security Administration is making no recommendations for action.

Obviously, nobody is saying it can't and won't happen, but both reports note that co-operation from pilots, owners and airfield users is an essential ingredient in maintaining security. AOPA is providing ongoing co-operation to the Association of Chief Police Officers, who plan to train some 900 officers in the ways of GA, and to designate them as contact points for the industry, and it is clear that ACPO appreciates that it needs GA's co-operation to make anti-terrorism measures work.

Lord Carlile's report, a regular update on how terrorism legislation is working in practice, notes that the GA industry is very substantial. "Whatever controls are placed on the industry, they should bear closely in mind the value of general aviation as part of the economy," his report says, "and be proportional to risk."

It goes on: "The potential use of small aircraft as vehicle bombs against places of public aggregation is a risk that must be guarded against. This is not founded on any particular intelligence, or on any operation as such. However, I know that some knowledgeable police officers and officials have ongoing concerns about the relative simplicity of terrorism conducted in this way, given the very large number of private aircraft and small airfields. This has led to ever-developing local policing plans involving Special Branch and other police officers working together and with local communities. There is real co-operation from pilots of all kinds of aircraft and owners/operators of airfields of all sizes."

The US report concludes that security steps taken by GA are "positive and effective". It goes on: "Significant regulation of the industry

would require considerable federal funding. We are not making any recommendations to the Transportation Security Administration regarding general aviation regulations."

The American report resulted from a Congressional request following TV reports of lack of security at GA airfields. It repeats the findings of a 2004 report which said: "The small size, lack of fuel capacity, and minimal destructive power of most general aviation aircraft make them unattractive to terrorists and thereby reduce the possibility of threat associated with their misuse."

It says: "In January 2008, the Congressional Research Service reported that typical GA aircraft are too light to use as a platform for conventional explosives. Moreover, heightened vigilance among airport operators and pilots would make it difficult to load the necessary quantity of explosives without detection... as a platform for conventional explosives, the threat posed by light GA aircraft is relatively small compared to the threat posed by trucks."

AOPA's Martin Robinson says: "We've been working with Special Branch, the ACPO and others for eight years now and in general they seem to have a good grasp of the true situation. They understood our initial standpoint, which was that the World Trade Centre terrorists did not use the GA aircraft in which they were training, however easy that would have been, because they needed aircraft with much greater mass, speed, and fuel load to accomplish their aims."

"Lord Carlile's comments about the 'relative simplicity' of GA-based terrorism needs to be seen in context. Yes, it would probably be less difficult to undertake than another 9-11 attack using CAT, but it would be far more difficult than using a car or truck bomb, as the Americans say, and much less effective.

"However, all pilots must understand that the price of our continued freedom to fly is eternal vigilance at GA airfields. If you see anything suspicious, tell the police. Most non-aviators couldn't tell what was suspicious activity and what wasn't, so the police rely on you to maintain security and safety." ■



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## Pooley's day at Compton Abbas

*My flying pal and guru Tony Ryan invited me to fly to Compton Abbas on July 12th to attend the Pooley's sponsored fly-in. When Tony offered me the chance to fly the Maule M7 I immediately knew my Sunday was not going to be spent reading (again) the EASA Ops NPA. Initially the weather did not look great, with a few showers around, but the weatherman lived up to his promise that they would fade out by midday. Some 70 aircraft flew in, with most crews using the restaurant for brunch. It was a pleasure to meet a number of members whilst there, including AOPA Board member John Pett who, along with his wife Penny and their friend, had flown all the way from Henstridge.*

*After being fed and watered, and with my generous Pooley's gift in hand, we flew back to Elstree. I can recommend Compton Abbas as a friendly GA airfield with excellent facilities for visiting pilots. - Martin Robinson*

*Right: Martin and John Pett at Compton Abbas*



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