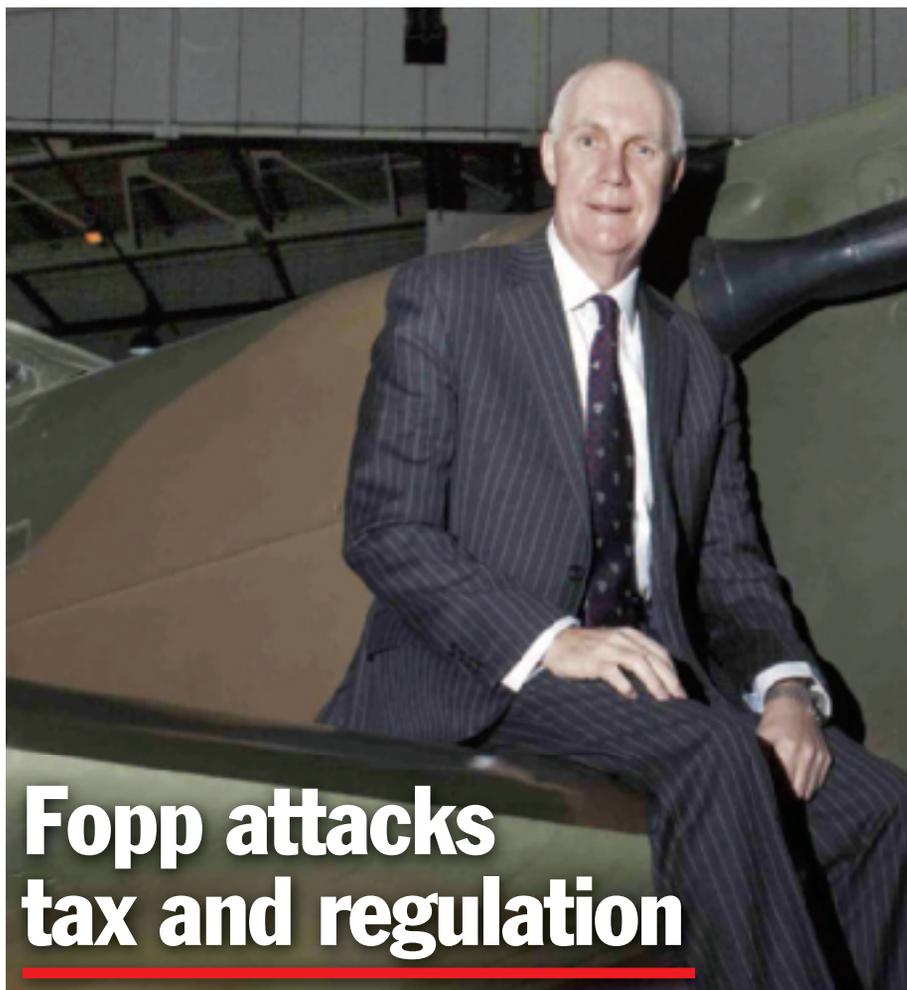
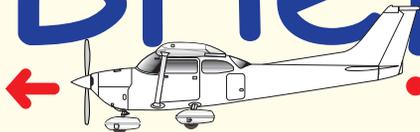


Briefings



Fopp attacks tax and regulation

AOPA member Dr Michael Fopp has begun his term as Master of the Guild of Air Pilots and Air Navigators with an attack on the disproportionate regulation and taxation that afflicts the UK aviation industry, coupled with a warning that the current situation cannot be allowed to continue.

"Air training in the UK has met the gold standard," Dr Fopp says. "However, disproportionate regulation and accompanying 'stealth' taxation means UK air training organisations could be priced out of the market by cheaper alternatives elsewhere. Apart from the airlines, the police, air ambulance and all air operators depend on high quality pilots graduating from well developed air cadet and air training organisations."

Dr Fopp, who was profiled in the February issue of *General Aviation*, questions the anomaly that students training to become pilots have to pay VAT on their courses while other academic and vocational subjects, from medicine to cookery, are exempt. In addition, the CAA is required to make a profit of six percent on regulation, meaning that everyone from a newly qualified pilot applying for a licence to a maintenance facility carrying out safety inspections have to pay CAA fees which are inflated by this levy.

Dr Fopp, a former Director of the RAF Museum, also sees Ofcom's plan to charge for the use of aeronautical radio as a threat to be faced during his year in office. "If people are priced out of the market and give up using radios, particularly small airfields, safety is compromised," he says, "yet Ofcom are saying their task is not safety, they are merely the frequency regulator. Strategic consultation is required between Ofcom and the CAA to ensure the safety concerns of these ill-conceived proposals are properly judged on a safety, rather than on a tax-collecting basis." ■

FAA seminars spell out N-reg requirements

The Federal Aviation Administration is reaching out to the owners and pilots of US-registered aircraft in Europe with an unprecedented series of teach-ins designed to impress on them the rights and responsibilities that go with operating on the N-register.

The seminars are two-way discussions, with FAA representatives wanting to hear about the problems N-reg operators have and what they think might be done to alleviate them. The first meetings, each for about 20 FAA licence holders, were held at Farnborough and Luton in mid-April, and altogether they reached some 100 people over four days.

The seminars seem to have sprung from the FAA's desire to do something about abuses of the N-register in some parts of the world – illegal commercial transport, the use of aircraft that have been de-registered in the USA, failure to comply with maintenance regulations, 'straw man' ownership and other problems that are prevalent in certain countries in South America and elsewhere, although not to a great extent in Europe.

Some of the main problems involve aircraft that are not properly maintained, pilots who are not current, and in particular who have not had a biennial flight review, P2s who are not type-rated on the aircraft they are flying, or not certified for commercial flying, and medical regulations not complied with.

The seminars were arranged by the FAA's new Senior Representative in London, Dr Tweet Coleman, and the main speaker was aviation lawyer India Pinkney. Together they form a high-powered team; Ms Pinkney works in the office of the FAA's Chief Counsel, where she advises on aviation safety. She formerly worked in the legal bureau at ICAO. Dr Coleman is a former Boeing 747 and 727 training captain who has a masters degree in aeronautical science and a doctorate degree in aviation education.

Pilots and owners in the audience were clearly grateful for the opportunity to talk to FAA staffers and found the exchange of information useful. Topics raised from the floor at the first seminar included problems with Designated Pilot Examiners in Europe, English language proficiency certificates, the difficulty of getting access to certain FAA information, transponder altitude checks, noise certificates and other issues. There were also unanswerable questions about EASA's intentions with regard to the N-register.

Ms Pinkney acknowledged that there were

Wolverhampton centenary

It may have passed you by, but the first flight from a Wolverhampton-area aerodrome happened 100 years ago this month, and Halfpenny Green is celebrating with a fly-in on June 27th. All welcome, even if your aircraft is less than 100 years old. Halfpenny Green, previously known as Wolverhampton Business Airport, and previous to that known as Halfpenny Green, was not the site of that first flight – it was laid out by the RAF in 1939 – but it is keen to encourage general aviation activity and has a number of fly-ins scheduled for the summer. There's the Spamcan Fly-in on July 18th, celebrating the ubiquitous Pipers and Cessnas, a helicopter fly-in on August 8th, a competition fly-in on August 22nd, a biplane fly-in on September 12th, and a 'just plain fly-in' on September 26th for anybody who feels left out of the above. www.wolverhamptonairport.co.uk or 01384 221378



areas in dealing with N-registered aircraft where the FAA could improve. She outlined the regulations covering the N-register and said that requirements for American ownership were not specific to aviation – there was a general bias towards ownership of assets by American citizens. “This flows throughout American law,” she said.

The trust system, under which N-registered aircraft are ‘owned’ by a US citizen or US-citizen corporation – where the corporation meets the US citizenship eligibility criteria – operating a trust based in Europe while the beneficial owner remains the man or woman who paid for the plane, is something the FAA is looking at, but there seems to be no intention of abandoning it. Ms Pinkney said: “We have been interpreting trusts very liberally in the past, and the FAA is taking a second look at trust arrangements because some have not been used as we intend them to be used.” Most trusts were perfectly good, she went on, and in response to a question she specifically included Southern Aircraft Consultancy Inc, whose executive Faith Al-Egaily was in the audience. “It’s incumbent on the beneficial owners to be sure the trust is doing the job properly,” Ms Pinkney said. “There are lots of nuances built into ownership that are critical.”

Ownership by non-citizen US corporations, where the corporation does not meet the US citizenship eligibility criteria, but is still lawfully organised and doing business under the laws of the US, was slightly more convoluted, she said. The condition was that aircraft must be ‘primarily’ used or based in the USA. “That’s a subjective term,” she said. “You run into trouble in the 40 to 60 percent area. If you’re splitting your time between a lot of countries, then 40 percent could be ‘primarily’ in the United States.”

A ‘straw man’ ownership is something

completely different – specifically, Ms Pinkney said, an entity set up to circumvent statute and regulation. “We’re not referring to trusts here,” she added. “It’s specifically referring to shady operators.”

Some of the main areas covered during the two-hour discussion:

- You must have your US pilot certificate in your possession or readily available in the aircraft. You must also have a photo ID. As Ms Pinkney said, “If you get a ramp check you’ll need this – you don’t want to get knocked down for something so simple.”
- A US drivers’ licence fits the bill for the photo ID. A UK passport is fine, as is a credential that ‘authorises unescorted access to a security identification display area at certain airports’ – the list includes Heathrow and some other major European airports, check with the FAA for details.
- You must have a valid medical certificate

Dr Tweet Coleman, the FAA’s new Senior Representative in London

issued under FAR Part 67, which addresses medical standards and certification.

- You can operate an N-registered aircraft in a foreign country if you have a current pilot’s licence issued by the country in which the aircraft is being used. That means you can fly in the UK on a CAA licence, but you wouldn’t be able to fly to France.
- The second in command of an aircraft over 5,700 kg engaged in commercial work must have a type rating on that aircraft. Misunderstandings in this area are apparently a major problem.
- The holder of a 61.75 licence issued on the basis of his or her national licence must have a biennial flight review in order to keep it valid. A European flight review is not enough, but the FAA will be talking to EASA at their joint meeting in New Orleans in June to see if something can be done about this.
- As ever, it’s incumbent on the pilot to know what the rules are. The UK CAA has an absolute right to inspect any N-registered aircraft on its territory

Will the situation regarding DPEs change?

Dr Coleman said: “We have heard of some situations here, and we’re bringing this up through the higher levels. The FAA is aware of it. Nothing is going to change overnight, but hopefully we will have some real positive changes in the near future with DPEs.

“We have 12 FAA people at Heathrow – they are aviation safety and maintenance people looking after the 162 or so FAA repair stations, in Europe. We may have an ops inspector based with this group if we see there is a need for this type of service.”

The audience at the first Farnborough seminar was made up of N-reg owners and FAA ticket holders and displayed a keen knowledge of the FARs. All said were gratified that the FAA had arranged the seminars. Said one: “It’s very reassuring – it’s the first time I’ve felt, as a beneficial owner, that the FAA is taking an interest in us over here.”

If you have questions on the Federal Aviation Regulations, have a look first at the FSIMS website <http://fsims.faa.gov/>, a vast resource where you could spend the rest of your life reading – but it’s fairly logically presented. Also see www.faa.gov/licenses_certificates/aircraft_certification/aircraft_registry/. Failing that you’ll find the FAA’s people in London very approachable and helpful – email tweet.T.Coleman@faa.gov in the first instance. ■

Fly around London from home

A new interactive website that plays video flying guides for heavily-trafficked GA routes has been launched by the Airspace and Safety Initiative. The *VFR Airspace Guide* (www.airspacesafety.com/guides) also provides essential information on England’s biggest aerodromes with links to charts, NATS Aeronautical Information Publications and Met Office data.

The videos feature flying instructor Irv Lee of flyontrack.co.uk flying in stages around the M25 and were originally produced by NATS to help pilots negotiate under the London TMA. If you’re heading that way, you can now ‘virtually’ fly them in Irv’s company from the comfort of home before you set off. Helicopter routes around London are included.

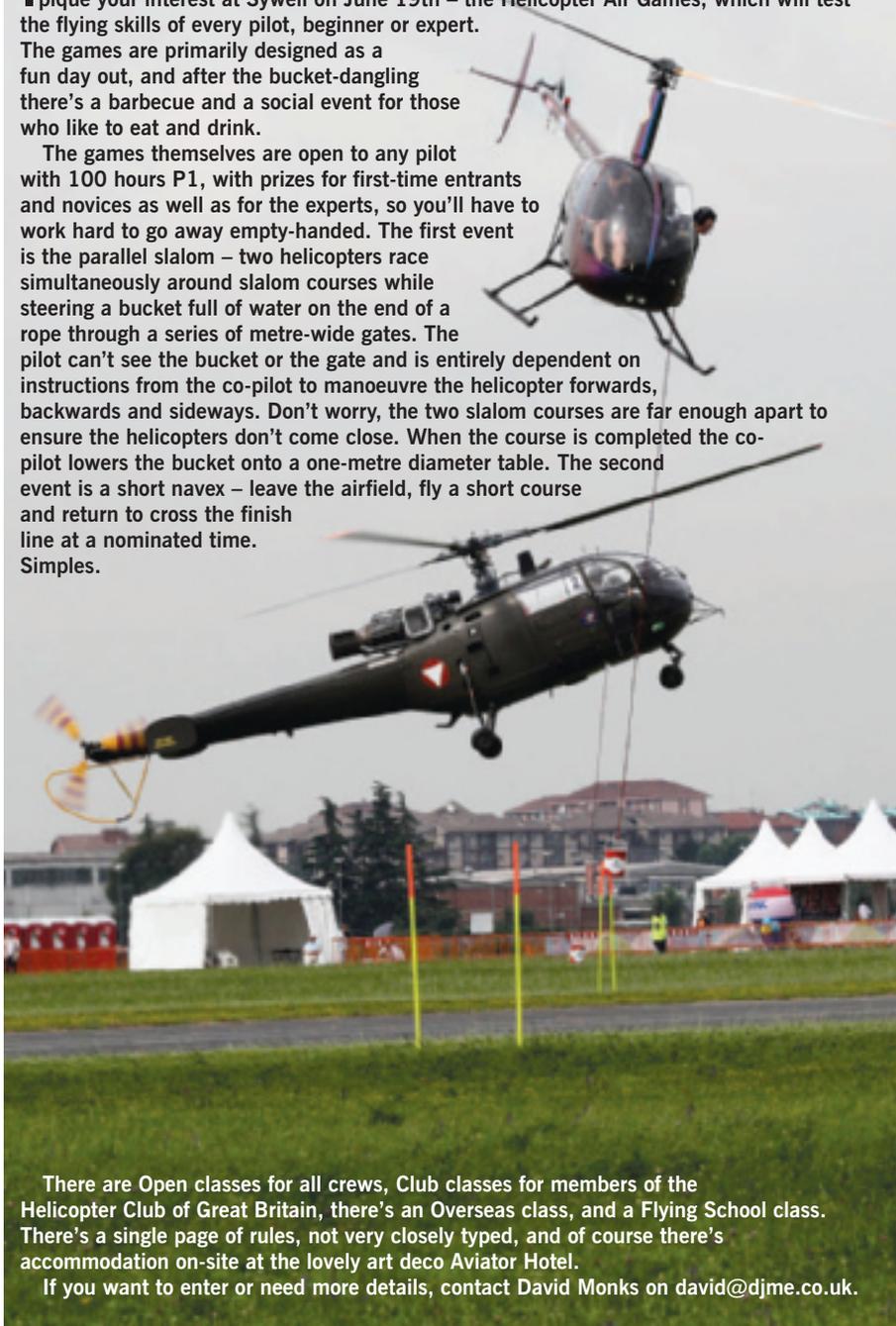
The new microsite is the latest project from the Airspace and Safety Initiative, part of a long-term programme to provide key safety information and advice to GA pilots. Other recent projects have included an interactive guide to the new Air Traffic Services Outside Controlled Airspace (ATSOCAS). The Airspace and Safety Initiative is a joint initiative from the CAA, NATS, MoD, AOPA and others to investigate and tackle the major safety risks in UK airspace. For information go to www.airspacesafety.com

Up for the helicopter games?

If you're a helicopter pilot looking to expand your horizons, there's an event that might pique your interest at Sywell on June 19th – the Helicopter Air Games, which will test the flying skills of every pilot, beginner or expert.

The games are primarily designed as a fun day out, and after the bucket-dangling there's a barbecue and a social event for those who like to eat and drink.

The games themselves are open to any pilot with 100 hours P1, with prizes for first-time entrants and novices as well as for the experts, so you'll have to work hard to go away empty-handed. The first event is the parallel slalom – two helicopters race simultaneously around slalom courses while steering a bucket full of water on the end of a rope through a series of metre-wide gates. The pilot can't see the bucket or the gate and is entirely dependent on instructions from the co-pilot to manoeuvre the helicopter forwards, backwards and sideways. Don't worry, the two slalom courses are far enough apart to ensure the helicopters don't come close. When the course is completed the co-pilot lowers the bucket onto a one-metre diameter table. The second event is a short navex – leave the airfield, fly a short course and return to cross the finish line at a nominated time. Simple.



There are Open classes for all crews, Club classes for members of the Helicopter Club of Great Britain, there's an Overseas class, and a Flying School class. There's a single page of rules, not very closely typed, and of course there's accommodation on-site at the lovely art deco Aviator Hotel.

If you want to enter or need more details, contact David Monks on david@djme.co.uk.

Veterans and kids at Biggin

Biggin Hill marks the 70th anniversary of the Battle of Britain by bringing boys and girls between the ages of 14 and 18 together with some of the dwindling band of veterans who flew in the Battle. The meeting takes place on Friday 25th June, and goes under the name of 'Youth and Veterans Day'.

With many adults being fairly hazy about the Battle, one wonders how much the modern teenager knows? A survey ten years ago found that somewhat surprisingly, very few RAF recruits knew what the Battle of Britain



was. While it's fitting that recruits should look to the future rather than the past, knowledge of tradition and past exploits should go with the territory.

Recruitment is part of the purpose; career specialists from the Army, RAF, Navy, police, fire and ambulance services will already be in place at Biggin for the Air Fair which happens on the following weekend.

Colin Hitchins of organisers Air Displays International says there's room for more teenagers on Youth and Veterans Day and invites head teachers or youth group leaders to bring them along. He says: "Go to the website www.bigginhillairfair.co.uk and click on 'This year' and on 'Youth Day' then follow instructions to make contact with co-ordinator Richard Tapp." ■

Instructor Seminars

Wellesbourne (Charlecote Pheasant Hotel) 4/5 October

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