

EASA: 'The IMC rating is safe in our hands'

A real chink of light has appeared at the end of the long battle to save the IMC rating from being harmonised out of existence. EASA's executive director Patrick Goudou has responded to a battery of enquiries by Members of the European Parliament, energised by an AOPA campaign, to confirm that EASA intends to incorporate the UK's IMC rating into a future European system. AOPA has gone to some lengths to clarify exactly what is meant by this, and EASA personnel have confirmed verbally that the intention is to transfer those parts of the IMC rating that are designed for the saving of life – the ability to maintain control in IMC, and to get back on the ground on an instrument approach – into a future system, possibly on the basis of national exemptions.

If this turns out to be the case it will represent a significant victory for all those pilots who answered AOPA's call to lobby their MPs and MEPs in support of the IMC rating. AOPA's Martin Robinson says: "There's a long way to go, but if EASA's actions match their rhetoric, we will have made some positive strides towards saving the IMC rating."

EASA is required by European Union law to harmonise rules *where possible* across the Continent, but it could not get unanimous acceptance of the IMC rating from all 27 European countries. In some, it is illegal to fly in IMC outside controlled airspace, while other countries wrongly believed the IMC rating to be "an IR with 20 percent of the training." A working group called FCLOO8, set up by EASA to discuss the IMC rating and other issues, proposed the 'En Route Instrument Rating' (EIR) which would allow pilots who had

passed the theoretical knowledge exams for the full instrument rating to fly in IMC on airways, but not to make instrument approaches. Some EASA staff presented the EIR as "the solution to the IMC rating problem" and AOPA has had a hard battle to convince them that the EIR does not begin to address the same issues as the IMC rating, and is no substitute.

That message seems to be getting through, thanks in large measure to Timothy Kirkhope, MEP for Yorkshire and the Humber and leader of the Conservatives in Europe, who is a private pilot with an IMC rating. He and Conservative transport spokesman Jacqueline Foster have taken up the issue with the European Commission, while EASA itself has been bombarded with queries by MEPs acting on behalf of pilot constituents.

Mr Kirkhope received a reply from Gilles Gantelet, the EC's director general of communications, saying *inter alia*: "In relation to the UK-specific IMC rating, EASA is still working on a dedicated proposal and has not yet published its position. A public consultation with the so-called Notice of Proposed Amendment is due to be published towards the end of the year. EASA's general objective is to transfer the UK-specific IMC rating into the future European system."

Mr Kirkhope, and AOPA, are keen to establish exactly what is meant by that last sentence and have been drilling down into EASA to find out. Most responses have been positive, and the official line, provided by EASA's communications director Daniel Hoeltgen, is:

* The statement comes directly from Patrick Goudou.

* It does not refer to the EIR as an IMCR replacement.

Martin Robinson says: "It is symptomatic of the relationship industry has with EASA that we still have worries that they are taking refuge in semantics, rather than addressing the fundamental safety issue. But there is reason to be hopeful. I think EASA is finally coming to the realisation that the IMC rating is not a convenience, but a safety-of-life requirement which is largely responsible for the UK's excellent GA safety rate.

"The cause has been significantly enhanced by the position the UK CAA has taken in support of the IMC rating, and by the intercession of the chairman of the EASA Board of Management, Mr Mike Smethers, who wants to find an acceptable solution.

"We have been absolutely clear with EASA that the vital components of the IMC rating are twofold – firstly, the ability to keep control when encountering IMC, and secondly, the ability to get safely back onto the ground using whatever instrument landing aids are available. This is what has worked so well in Britain for 40 years, this is what can be shown to have saved so many lives. The CAA encourages the practice of instrument flying and instrument approaches – in actual IMC if you are in practice – and these vital skills must be incorporated into a European rating for EASA to be able to claim that the IMC rating has been transferred into a European system." ■



Under the volcano

AOPA has congratulated the Civil Aviation Authority on its deft handling of the Eyjafjallajökull volcanic ash issue as it affected general aviation, which effectively allowed flight training and other operations to continue while commercial air transport was grounded.

There was misunderstanding in some quarters when the CAA announced that certain airspace was 'closed' – but what this meant in practice was that there would be no air traffic control services within that area, so if you didn't want or need them, you could use your own judgement in deciding whether to fly.

AOPA Chief Executive Martin Robinson says: "The CAA's position was in stark contrast to that of some other European countries, where all aviation was banned outright. This was clearly unnecessary, but there

seems little chance of compensation for those whose businesses were hit not by the emissions from the volcano, but by the poor decision-making which followed it. In Denmark, for example, the CAA banned flights by gliders and balloons, and when questioned, congratulated itself on being 'the

safest authority in Europe'. And they'll never have to answer for it.

"As far as commercial air transport is concerned the UK CAA had some very difficult decisions to make, perhaps on the basis of incomplete data and unsophisticated models, and they've come in for some criticism. None of us would relish making safety-of-life decisions under such enormous commercial and political pressures, but it's important to note that in the middle of the storm, the CAA →

Anni Fransson

took the time to consider general aviation in its own right and reach appropriate conclusions.”

There was some dismay when the CAA announced in the Notams it was closing certain airspace in Northern Ireland and elsewhere, but as Phil Roberts, Assistant



Director of Airspace Policy at the CAA explained, the decision on whether or not to operate in that airspace rested solely with the pilot. The CAA's statement meant that the airspace was 'closed to service provision', so that any request for ATC service would be denied except to help a pilot leave the affected area. Martin

Robinson says: "If you wanted an SVFR clearance through Class D, for instance, you wouldn't get it and you'd have to find an alternative route – but if you remained in the Open FIR you could proceed without hindrance.

"The effect of this was to allow piston-engined GA operations to continue while CAT was grounded. The CAA was effectively saying that private flight was undertaken on the basis of a risk assessment by the pilot, which is of course the case for every private flight."

The risks

AOPA consulted automotive as well as aviation engineers and concluded that risks were extremely low – at worst, comparable to flight in relatively highly industrialised countries or in parts of the world where dust storms were a problem. However, it is advisable not to fly in rain or IMC conditions, which alter the effects of the ash. One of the foremost experts on piston engines in Europe is Lars Hjelmberg, owner of Hjelmco Oil, which has some 70

percent of the market for general aviation fuels in Sweden. A précis of his analysis of the situation ran thus:

"In order to get transported from Iceland to the European continent the ash must have a very low equivalent diameter (small size and low density, resulting in low drop velocity) or it will fall into the Atlantic rather rapidly. Ash coming into the European continent may have particle size about 1-10 microns or smaller, so it should actually be called dust. If the cloud is invisible to the human eye in a clear dry sky below 5,000 feet one can say that such an area may be safe. This is because up to 5,000 feet there is anyhow a large amount of various other particles and normal dust with particle size around 1-10 microns.

"The ash particles are coming to the European mainland mainly in the form of silica, (silicon dioxide, SiO₂, quartz), i.e. as a 'sand dust'. If heated up to above 1000°C the silica may transform into a glass material with an ability to cut, polish and in certain ways attach. Such a transformation may only take place in a turbine engine and may cause severe hazard to such engines. Modern turbine engines may permanently have up to 1600°C in their hottest engine parts. However, such a transformation should not happen in a piston-powered aircraft engine, even if actual combustion temperature there could well be above 2000°C, because the extremely short period of the actual combustion will not allow sufficient time for the silica to be transformed.

"The ash in the form of ordinary dry dust of particle size around 1-10 microns may pass through the engine air inlet filter and mix with the oil inside the engine after combustion.

The engine oil filter may take care of parts of



MASA

this dust but the majority may end up in the engine oil in the same way as ordinary dust, lead deposits from avgas and carbon deposits from ordinary engine combustion will do. The dust may mix or get attached to other dust and form larger particles which may be trapped in the oil filter. If for any reason the oil filter gets clogged, modern piston aircraft engines have an override valve allowing the contaminated oil to be distributed in the engine. There is a theoretical possibility of more engine wear, but this is nothing that will affect the engine immediately. Any extra wear is a gradual story in the same way as for those who are located in areas with frequent sand storms or in general with dirty air as in industrial centre areas. Changing engine oil more frequently than before should handle this issue properly."

The ash particles were too small to have an effect on pitot tubes, air sensing units or air

Chief executive's diary:

Mountain god angry

Okay, you might not be able to pronounce Eyjafjallajökull, but at least now you know what an ashtam is, right? I came into the office, bag in hand, congratulating myself on having decided to take the train to Brussels for a big safety meeting when the word came through that the meeting was cancelled because would-be attendees who were due to arrive by air were stranded all over the planet. And still the smoke rises.

I have to congratulate the CAA for the way they contrived to allow flight training and operations in piston-engined aircraft to continue almost unaffected by the ash cloud. It's clear that imposing a blanket ban on flights would have been an easy option – looking around Europe, many regulators did exactly that. The CAA chose to treat GA pilots as grown-ups and urged them to evaluate the risks for themselves, as indeed we do before every flight. I don't envy the CAA having to make much-decried decisions on commercial flights on the basis of scanty data and conflicting opinions, but as far as GA was concerned, they were spot-on.

Very few people knew what an ashtam was (be honest) back in March when I last wrote this diary – our concerns were those which never go away, even when the wind shifts. On March 22nd I met with Steve

Read, Chief Executive of Cabair, to discuss flight training in the round; however good we are at it, we continue to export this industry simply because our taxes and fees are much higher than virtually anyone else's. Steve mentioned that a CPL student saves £3,500 in Spain compared to Britain simply because the Spanish allow tax relief on fuel; when you take into account reclaimable VAT, lack of regulatory fees and other major concessions not available in the UK, it's clear that we are killing our own professional flight training industry by overtaxing it. Surely our government must see that? We're supposed to have a level playing field across Europe – that's a bad joke.

On the 24th I attended a meeting at the CAA's Directorate of Airspace Policy in Kingsway to discuss future RNAV systems, future use of satellites for navigation and so forth – it's vitally important that GA be represented at these discussions because they tend otherwise to forget that we exist and make rules aimed at commercial air transport, and we get caught up in the collateral damage. The following day I was invited to address a meeting of the mid-Kent strut of the LAA; I set out what AOPA was



doing in the UK and across the world, and was quite well received. And that was followed, happily, by a week's leave, visiting Ireland where the economy is in even worse shape than our own.

I was back in time to go to Aero at Friedrichshafen, where I also chaired the quarterly Regional Meeting of IAOPA-Europe in my capacity as Senior Vice President of

IAOPA. The UK contingent included Pam Campbell, as always, and air traffic management expert Ben Stanley, who is working for AOPA on SESAR, the European Single Sky implementation programme. There was a large contingent, too, from AOPA US, including President Craig Fuller, and they arrived in the AOPA Citation. AOPA US has one hundred times as many members as AOPA UK and they provide a perfect model for AOPA in Europe; they have the numbers and the income to do battle with regulators and governments and come out on top. Across Europe we have some 23,000 members, and although we punch way above our weight, we need more members and more money to represent general aviation the way it needs to be represented.

Ofcom had me in again on April 16th to try to explain to me that its consultation on spectrum pricing was more than just a sham. It's worth noting that the consultation,

gyros, Mr Hjelmberg said, nor would they have any abnormal effect on propellers, windshields or antennae. "The affect may be the same as when flying through ordinary dust or dirt," he said. "Some tarnishing on leading surfaces may gradually happen but should not be worse than ordinary wear and tear. The propeller can be affected and polished but any decrease in performance will be marginal and gradual. This should be valid as long as the particles are dry and the concentration of particles is so low that the ash is invisible."

As far as pilots and passengers were concerned, he added, the ash would have no more effect than ordinary dust, pollen and nanoparticles in the air, although ash may also contain small amounts of rare metals that may cause allergic reactions.

Mr Hjelmberg warned: "Gases with an acrid or sulphurous odour may also be spread around with the air. If the dust is combined with an odour, breathing such air should be avoided as it may cause respiratory problems. The concentration of such toxic gases and high concentration of fluoride on the European mainland and about 3000 kilometres from Iceland should however be so small that they may be negligible for ordinary healthy persons.

The warning

"Do not fly in precipitation, near rainy clouds or in IMC. Moisture falling through the sky from high altitudes will collect the dust from the contaminated air, dramatically increasing the concentration of dust at lower altitudes. Moisture and dust may form a sort of a 'clay' which may get trapped in air filters. Fuel injected piston engines usually have air filters that can be by-passed automatically or by the

pilot. For carburettor engines a bypass of the air filter can usually be made by using carburettor heat. (This does not apply to many piston-engine helicopters which filter hot air). Unfiltered air entering the combustion area may cause excessive engine wear. Particles may also attach to spark plugs and cause them to malfunction. Any such problems will easily be noticeable by a rough engine. Under such conditions, land the aircraft without delay. Excessive leaning for a very short time may clear a clogged spark plug. Ash or dust mixed with water or moisture may clog the pitot tube or static port."

Mr Hjelmberg concludes: "No-one can say that anything is 100% safe. We are exposed to known and unknown particles in the air every day and all the time. Even if the particles from

the current eruption may be known, future eruptions may exhaust other type of particles and particle sizes. It is always up to the individual to decide what he or she wants to do and what risks can be accepted. Conduct your own risk assessment and develop operational procedures to address any remaining risks.

"For low altitude daytime VMC flights in piston powered aircraft above the European mainland, about 1800 nautical miles away from Eyjafjallajökull, with no visible ash or dust clouds, no rain in a clear dry sky and no abnormal smell in the air, such flights should pose no other challenge than the challenge you have for any other flight.

But the decision to go or not to go is as always up to the pilot in command." ■

Brussels lobbyists appointed

International AOPA has committed a six-figure sum to hiring full-time lobbyists in Europe who will look to join with the European Business Aircraft Association and the General Aviation Manufacturers Association to make joint representations on matters of mutual interest.

IAOPA President Craig Fuller made the announcement that the international law firm Hogan Lovells had been retained by IAOPA at an IAOPA-Europe Regional Meeting in Friedrichshafen in April.

AOPA has been aware for many years that professional lobbying and legal representation was a prerequisite for proper influence at the European Parliament, the Commission, Eurocontrol, EASA and other important bodies in Brussels, Cologne and Strasbourg but has not up to now been able to devote enough money to it. AOPA US, aware that regulatory diseases originating in Europe soon cross the Atlantic, is to make a contribution. International AOPA, which comprises AOPAs in 66 countries, will provide the majority of the funds, and IAOPA Europe, which has 23 states in membership, will make a major contribution.

Martin Robinson says: "While we continue to work hard through the established consultation channels, direct lobbying is absolutely vital. A proportion of everyone's membership fee now goes towards this; the more members we have, the better we can represent general aviation."

despite its slanted questions, has produced 100 percent unanimous opposition to Ofcom's proposals right across the industry from the airlines to the regulator. Do you think that will stop them?

On April 17th I spent the day at Duxford where AOPA had a stand at a Safety Bonus Day. Alan Evans and all at Duxford must be congratulated on their initiative for establishing these bonus days, and I believe about 140 aircraft flew in for the day. AOPA fielded a small team including Mandy Nelson, George Done, Mel Stewart, Mick Elborn, Chris Royle and others, and we were able to meet a number of existing members and sign up some new ones.

Then there was the safety meeting in Brussels which fell victim to angry Eyjafjallajökull (I cut and pasted that). It was due to start on the 20th and run to the 23rd, and its cancellation gave me a chance to catch up with neglected office administration. I went to Brussels anyway on the 26th for a meeting with Timothy Kirkhope MEP, to discuss details of GA issues in which European Parliamentarians are closely involved. I went on to attend the 33rd meeting of the European Commission's Industry Consultation Body, where again IAOPA continues to monitor the potential impact of the Single European Sky and other initiatives on GA in Europe.

Next day I attended the first meeting of the SESAR IP1 steering committee, where again, GA risks being forgotten while the airlines are accommodated. After much discussion I

pointed out that the current focus of Europe is towards the 'network' which is best described as railway tracks in the sky, with airlines running to schedules like trains. GA, on the other hand, uses the airspace like cars use roads for unscheduled long and short journeys. That basic fact must be recognised and built into any SESAR structure.

On the 29th I attended the NATMAC meeting in Kingsway, where we discussed issues like the Ofcom consultation. It is agreed that the so-called 'AIP' is nothing more than a tax on all of aviation. We also discussed performance-based navigation and future airspace strategy. Europe is also discussing future strategy in this regard, and you can't have a European strategy unless you first have national strategies to build on.

On April 30th I had a meeting with an American web designer who has some ideas for value-added services to AOPA members; Mike Cross is looking into this and will come up with some recommendations. May 4th took me to the Airspace Strategy Group's Technical Sub Group which is working on the issue of Class F airspace. Following an ICAO audit the CAA has been asked to remove its Class F airspace – according to ICAO rules, Class F only exists for a temporary fix. In the UK there are a handful of Class F advisory routes; we've surveyed the corporate members to see if a change would adversely affect them, but nobody seems to use Class F except some travellers to the Isle of Man, and even that is not heavily used. If this issues affects you please

let me know. Martin@aopa.co.uk.

Our new relationship with the international law firm Hogan Lovells was explored on May 6th in a conference call designed to kick off discussions and establish exactly what IAOPA is expecting from the new partnership. IAOPA has increased its investment in European lobbying significantly – keep an eye on the IAOPA eNews for further updates.

And on May 10th we had a long and useful debate with the CAA, NATS and others about the knock-on effect of controlled airspace additions or changes on the Open FIR. This is something for which we've been pressing for a long time. Airspace changes have traditionally been made without thinking about how traffic outside controlled airspace will cope with them. It has been decided that there will be a Class G airspace modelling exercise in the area west and south of Heathrow to establish who is using it, what for, and how a change in airspace classification would affect them. The Department for Transport and the CAA's Directorate of Airspace Policy are funding the work, which will be carried out by QinetiQ and will last for about five months. Not only will the model help address this issue, but it could be very useful to GA in future when we are responding to new proposals for change. AOPA will be seeking input from members, so more to follow on this.

Martin Robinson

Will Ofcom see sense?

Ofcom's consultation on charging for aviation radio spectrum has the unique distinction of having united every facet of the business, from the airlines to the regulator to the multifarious membership groups. Whether the fact that opposition is solid at 100 percent will make any difference to Ofcom's plans remains to be seen.

AOPA's position remains unchanged – however sedulously they try to disguise it, the proposal is a blatant stealth tax cooked up by the Treasury, which is cock-a-hoop at having found something new it can get money out of. Ofcom has been detailed to do the dirty work, and the consultation exercise is an embarrassing and irrelevant legalistic necessity.

Ofcom's original proposal to tax the emergency services for radio use was abandoned after a public outcry. It now plans to charge £2,600 a year for an aerodrome A/G service, £9,900 for ATIS and VOLMET, and up to £19,800 for VHF digital links. The result may be that hard-pressed aerodromes give up their radios and revert to a signals

square. Others will abandon pricey ATIS frequencies, increasing congestion on active frequencies. Either way, safety will be affected – but Ofcom says safety is not its responsibility. If its proposals create danger, it says, it's up to the CAA to sort it out.

Martin Robinson says: "This is a stealth tax pure and simple, and it will cause great and pointless harm to general aviation. Ofcom in its present form looks likely to be abolished by the new government, but that is small consolation to those who will have to pay for this nonsense for years to come.

"It remains to be seen how things will have to be re-ordered to cope with the Ofcom tax, but one thing is for certain – safety will be hit." ■



NATS drops two NDBs

NATS has announced the decommissioning of two Non Directional Beacons, at (LIC) and Scotstown Head (SHD), effective from July 29th.

AOPA is seeking from the CAA's Directorate of Airspace Policy a co-ordinated plan of transition from terrestrial navigation systems to a space-based system, and these withdrawals are ahead of any such plan being agreed.

Consultation by the CAA in 2008 established that there would be little impact on operations in controlled airspace if en-route NDBs were withdrawn, and that while they were useful for GA operations in IMC or marginal VFR outside controlled airspace, it was thought that VOR/DME and GPS could take up the slack. Two waypoints, PEDIG for LIC and PETOX for SHD, became effective on May 6th.

NATS En Route Limited, (NERL) the company operating the NDBs, now says it is planning to withdraw five more NDBs – Henton, New Galloway, Westcott, Whitegate and Woodley – beginning in 2012. NERL anticipates that Burnham, Chiltern and Epsom NDBs will remain in service until around 2016, although these dates are subject to revision.

Farnborough Air Show restrictions

By Irv Lee

It's hard to believe it's two years since the last one, but once again we have the Farnborough Air Show in July. For UK business, it's the premier place to show off aviation for about a week and sign much-needed contracts. To pilots crossing Hampshire, Berkshire, Surrey and Sussex, the restrictions of flying are a major factor to be considered for 15 days of display practice and

(125.25 MHz) will be on air as usual. If there were occasional brief periods where opportunities to transit the restricted areas exist, ATC would allow that if asked. However, the general message is that without such specific permission from Farnborough ATC, entering any designated restricted area during the published activity times has to be avoided or it could lead to a prosecution, which is not actually the worst case scenario when you think through the potential

infringement website FlyOnTrack (www.flyontrack.co.uk) is part of the UK's Airspace Safety Initiative giving hot news, links and information concerning navigation, restrictions, and plenty more. If you've never looked at the site, it's worth exploring. It's a national and permanent resource, not just there for this show.

Not only will FlyOnTrack have an early copy of the restricted airspace diagrams for the Farnborough Air Show, once the official AIC is actually published, the FlyOnTrack Hot News on its home page will have a direct link straight to it. Twitter fans will also be kept up to date on many such matters, and certainly this, via tweets from flyontrack.

What makes Farnborough Air

authorisations, and of course, the show 'proper'.

These restrictions of flying are from Monday July 12th to Monday July 26th 2010 inclusive, and Farnborough are asking for your help in not only making sure the event goes smoothly with no infringements of the restrictions, but in spreading the word to other pilots in advance to ensure nothing comes as a surprise on the actual day. I have suggested to Farnborough that they distribute carbon monoxide detector buttons overprinted with the Air Show restriction dates – I can't think of a better way of getting the message directly into the cockpit, always in the eyeline of the pilot – and it looks like that is going ahead. Look out for that useful freebie appearing before July and get one in your plane.

If you need general flight access to any restricted area in that period, (perhaps you fly from a strip in the area), it's worth discussing the matter in advance with Farnborough on 01252 526021. This is not the normal ATC number. On the actual days, the Farnborough LARS frequency in the area

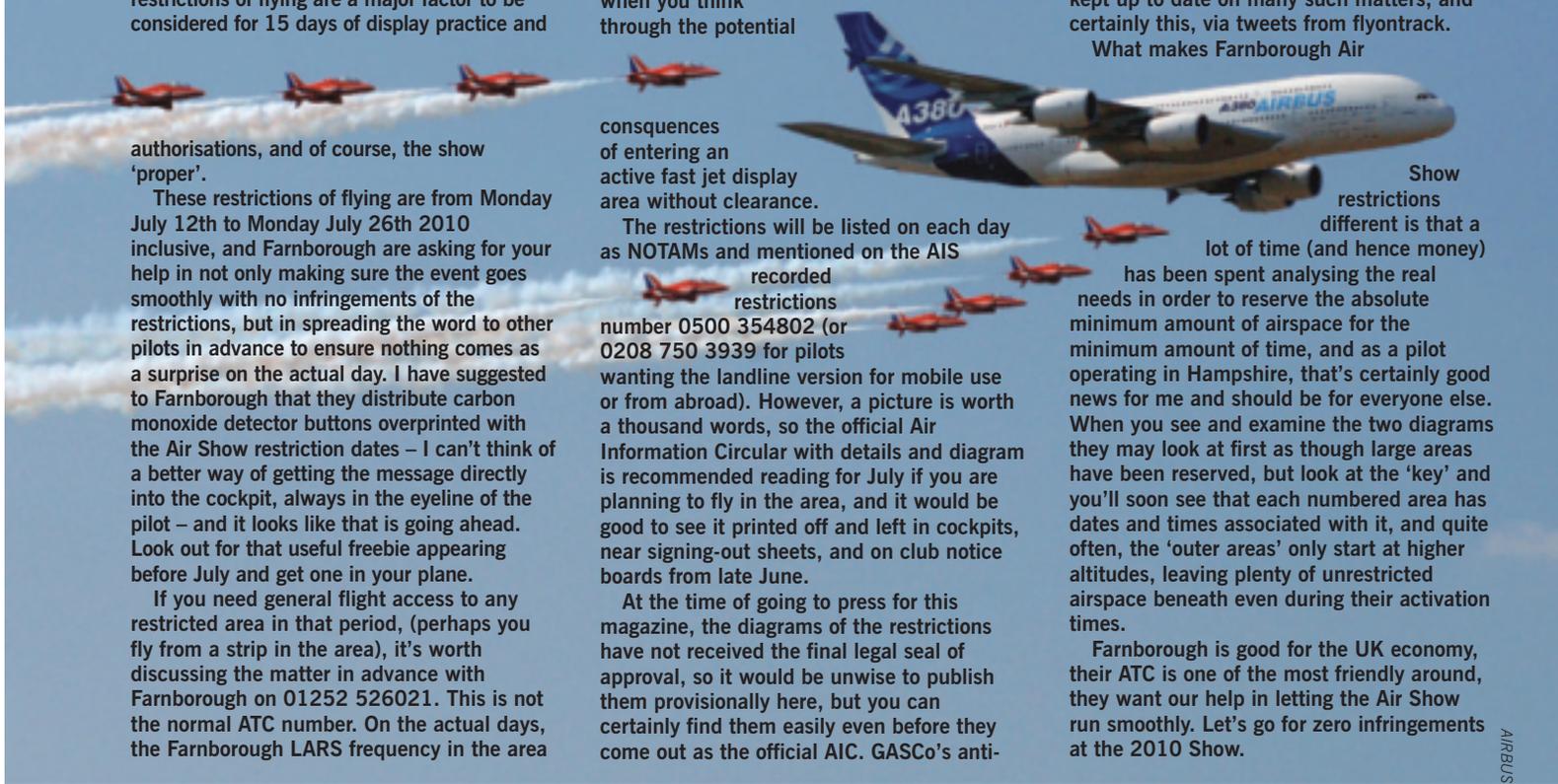
consequences of entering an active fast jet display area without clearance.

The restrictions will be listed on each day as NOTAMs and mentioned on the AIS recorded restrictions number 0500 354802 (or 0208 750 3939 for pilots wanting the landline version for mobile use or from abroad). However, a picture is worth a thousand words, so the official Air Information Circular with details and diagram is recommended reading for July if you are planning to fly in the area, and it would be good to see it printed off and left in cockpits, near signing-out sheets, and on club notice boards from late June.

At the time of going to press for this magazine, the diagrams of the restrictions have not received the final legal seal of approval, so it would be unwise to publish them provisionally here, but you can certainly find them easily even before they come out as the official AIC. GASCo's anti-

Show restrictions different is that a lot of time (and hence money) has been spent analysing the real needs in order to reserve the absolute minimum amount of airspace for the minimum amount of time, and as a pilot operating in Hampshire, that's certainly good news for me and should be for everyone else. When you see and examine the two diagrams they may look at first as though large areas have been reserved, but look at the 'key' and you'll soon see that each numbered area has dates and times associated with it, and quite often, the 'outer areas' only start at higher altitudes, leaving plenty of unrestricted airspace beneath even during their activation times.

Farnborough is good for the UK economy, their ATC is one of the most friendly around, they want our help in letting the Air Show run smoothly. Let's go for zero infringements at the 2010 Show.



Safety risk of blame culture

IAOPA is opposing a proposed European Union regulation on aviation accident investigation that would grant judicial investigators access to flight recorders and other safety information. In fact, the EU intends that a judicial investigation will take precedence over a safety investigation, elevating the prosecution of suspects above the promotion of safety.

IAOPA has joined 13 other aviation organisations in Europe in opposition to the plans, which it believes would seriously jeopardise the ability of accident investigators to obtain the information necessary to establish what factors contributed to an accident and to take steps to prevent its recurrence.

Martin Robinson says: "We don't want to see a pilot, engineer, controller or anyone else being interviewed by accident investigators with his lawyer at his shoulder telling him not to answer a question because of the risk of self-incrimination. That is not the way to bring out safety issues and prevent future accidents.

"Several European countries already operate this 'blame culture' approach where the most important issue is finding a scapegoat, and it's no coincidence that they tend to have the worst safety records.

"It's not as though the guilty will get off scot-free – there are other avenues of investigation which can be followed by criminal prosecutors without compromising safety."

IAOPA is calling on the European Parliament, Council and Commission to revise the proposals to limit the use of safety information in judicial proceedings only to cases where the accident investigation finds that willful or illegal actions were a factor in an accident.



'No threat to Trusts' – FAA

The FAA has moved to reassure the owners of N-registered aircraft operating under US Trusts in Europe and elsewhere that it has no plans to move against the Trust system after a brief moratorium was imposed on new aircraft registrations.

Officials in the FAA blamed "confusion" in the Administration's Oklahoma City headquarters for the moratorium, which affected non-US citizen Trusts. In a letter passed to AOPA US, the FAA's Chief Counsel David Grizzle said: "Please know that the FAA has not imposed any moratorium on the processing of any pending or future registrations involving Non Citizen Trusts. The FAA Aeronautical Center is continuing its past practice of issuing opinions covering Non-Citizen Trusts in accordance with its prior practice. We are not challenging the registration of aircraft currently registered under Non-Citizen Trusts.

"As a result of a number of recent cases, however, we are conducting a more comprehensive review of Non-Citizen Trusts to ensure compliance with existing law, and determine whether any improvement should be made. In this regard, we do not contemplate any immediate changes to agency practice. During this review we will involve the various stakeholders. In addition, following our review, to the extent the agency proposes any change in interpretation, rule, or law, the agency would follow notice-and-comment procedures as appropriate."

This accords with the statements by FAA attorney India Pinkney at the FAA seminar in Farnborough: see "FAA seminars spell out N-reg requirements" on page 20. ■

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Que SERA?

Several years of negotiation on future rules for European airspace seems to have been undermined by a decision to scrap plans for a uniform 'toolbox' of applications which would have allowed states some latitude in applying airspace classifications.

Talks on SERA, the Single European Sky Rules of the Air, were thought to have produced a consensus on how to proceed towards an airspace system based on the seven ICAO classifications, but with enough flexibility to cater for every state's way of doing things. State regulators, however, are saying that the whole thing is back in the melting pot, with

no reason given.

Under the Single European Sky framework regulations the European Commission proposed that states should comply with ICAO airspace classifications, but Eurocontrol surveys showed there were 20 different applications of the seven classifications across the continent. For example, in the UK Class F is used for a small number of advisory routes, whereas ICAO intended it to be a temporary solution to a problem. (The UK has been asked to get into line on this – if you have a

view on that, email martin@aopa.co.uk.)

The ultimate objective in Europe is that somewhere between 2015 and 2020 we should reach a situation where types of airspace have been simplified to the point where they can be described as 'known with intent,' 'known with unknown intent' and 'uncontrolled'. This makes sense if you look at the ultimate objective, which is to allow a commercial aircraft, once it has left a TMA, to take the shortest possible route to its destination TMA without having every inch of the route plotted in advance. This 'free routing' system calls for a degree of flexibility not inherent in the current highly-prescriptive network and means that 'known' traffic can enter a controller's area without its precise intent – that is, where it will exit – being known. All this is bound up with datalink provision, new technology and, of course, emissions trading, which is due to start in 2012 and which Europe expects to involve the aviation industry in some €9 billion a year of expenditure. Free routing airspace will rely on technology such as ADS-B and TCAS systems – effectively placing each aircraft in its own bubble, possibly 10nm wide, which set warning systems going when they collide. This system needs to be very robust when you consider CAT aircraft may have closure speeds of 1000mph. From GA's point of view, the 'uncontrolled' classification will be subdivided to take account of stipulations like mandatory transponders.

The debate on classification has been

difficult, with 27 states each having their preferences, and it was agreed that a 'toolbox' of variations could be adopted to cater for them as long as each tool was applied in the same way so that a pilot knew what was expected. The EC seems now to have abandoned this toolbox, although there's no information on exactly why. Certainly a lot of states were saying that they, and not the EC, were the signatories to the Chicago Convention and therefore had sovereignty over their own airspace.

Martin Robinson says: "Suddenly there's been a huge amount of back-peddalling – the toolbox has gone and the states seem once again to be able to do their own thing. What exactly this means is unclear. Certainly for general aviation in the UK there are benefits – the new proposals would have exchanged the 500 foot rule for a 500 foot minimum height, and they had a lot of silly baggage attached, like always having to use lights, even in daytime, and always having to file a flight plan.

"The ultimate future objective remains free routing, with the pilot choosing the most direct route and being able to get from top of descent to the gate at optimum rate of descent without holding. But it looks like the route we're going to take to get there will be convoluted. We have a meeting of the EC's Industry Consultation Body in Brussels on June 3rd, at which I expect all will be revealed." ■



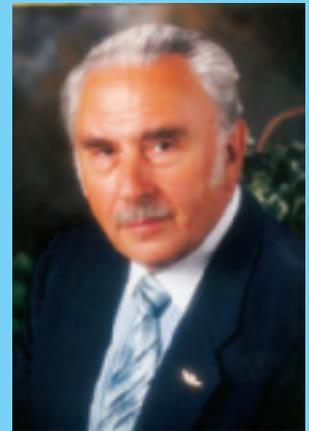
12th anniversary of AOPA's 'Strasser Scheme'

In 1997 the CAA published a review of general aviation fatal accidents between 1985 and 1994 under the title CAP 667. Of particular interest to GA pilot Charles Strasser was paragraph 9.2(c), which stated: "There were a number of fatal accidents where a timely diversion or precautionary landing could have avoided an accident. In the UK there is a 'culture' of pressing on and hoping for the best rather accepting the inconvenience and cost of a diversion. This 'culture' needs to be changed, firstly by educating pilots and secondly by persuading Aerodrome owners that there should be no charge for emergency landings or diversions. *It is recommended that all Aerodrome owners be persuaded to adopt a policy that there should be no charges for emergency landings or diversions by general aviation aircraft.*"

Since neither the CAA nor GASCo (the General Aviation Safety Council) acted to get this potentially life saving recommendation implemented, Charles Strasser (pictured right), Chairman of the AOPA Channel Islands Region, decided in 1998 to accept the challenge. It has taken him 12 years to get all UK civil and military airfields except Belfast-International, Biggin Hill, Birmingham, Cardiff, Carlisle, Filton, Leeds/Bradford, London-Luton, and Manchester, to participate and waive fees for genuine emergency and precautionary weather diversions. (London Heathrow, Gatwick and City were not asked).

The 'Strasser Scheme' has undoubtedly prevented GA pilots from "pressing on", leading them instead to make the right decision to land at the nearest airfield.

There are some misunderstandings, and to preserve the integrity of the scheme, this 12th anniversary is a perfect opportunity to remind GA pilots of the importance of not abusing the concession granted by airport owners in the interests of safety. The CAA recommendation starts off "This 'culture' needs to be changed, firstly by educating pilots..." This means that proper pre-flight planning is vital, including route, destination and alternate weather information. Landings at predetermined alternates, whether filed or not, are clearly not "precautionary landings". Landings to drop off passengers or pick up fuel, similarly do not qualify.



CAA ORS No 756 exemption

Many of you will by now be taking advantage of the Exemption which has been introduced by the CAA and enables PPL(SEP) holders to continue to fly on their existing licence but with a Declaration of Fitness from their GP in place of the JAR Class 2 Medical from an AME.

The documentation for the NPPL Declaration of Fitness is available on the NPPL website: www.nppl.uk.com

However, for those of you who are unaware of this remarkable arrangement, the details for making use of this and maintaining currency

are as shown below:

This exemption was brought in under the terms of CAA ORS4 No 756 and gives the following information:

Pilots do **not** need a JAA Class 2 medical, they simply need a Medical Declaration which when placed in their licence gives them the equivalent of an NPPL with SSEA Rating, and its associated reduced privileges.

Pilots must hold a current PPL(A) and a valid SEP class rating.

● Pilots with **valid** SEP Class Ratings wishing to use the Exemption have two choices:

- Maintain their SEP Class Rating in the normal way, restricted to SSEA privileges by virtue of their Medical Declaration.
 - Apply to the CAA for an SSEA Class Rating.
 - Pilots without a valid SEP Class Rating will need to pass an SSEA GST, then apply to the CAA for the inclusion of an SSEA Class Rating in their licence.
 - Pilots cannot apply for the re-issue of a non-NPPL if operating under the exemption of ORS4 No.756. When their non-NPPL licence expires, it will need to be replaced by an NPPL.
- Note - Applicants who seek inclusion of an SSEA Class Rating from the CAA should use a CAA form, not an NPLG form. – Pam Campbell, AOPA NPPL Advisor ■

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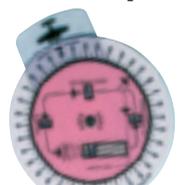
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Training from unlicensed aerodromes

The idea originated in AOPA, but subsequent developments revealed several problems, reports David Ogilvy

Over many years there have been understandable complaints about the cost of providing flying training in the UK, as the CAA have called for expensive facilities that have not been required in other European countries. The main drawback has been the requirement for an aerodrome to be licensed, calling for a substantial annual fee and an associated inspection, and to have an expensive rescue and fire fighting facility. While AOPA has always insisted that high levels of safety must be achieved and maintained, these should be based on practical needs rather than ill-thought-out bureaucracy. As an example of the latter that has incensed some aerodrome operators, the authority's inspectors have insisted on walking their 'wheelie' machines along each runway to ensure that the length has not changed since the previous visit!



AOPA lodged a submission with the CAA as long ago as September 1990, seeking removal of the need for a training aerodrome to be formally licensed (with its disproportionately expensive fire/rescue service) and offering initial proposals for establishing acceptable levels of safety. Unfortunately at the time the authority rejected the proposal, but this was long before external pressures were applied to bring UK requirements into line with European practices. Whilst a suggestion made about 20 years ago may require some amendments to fit today's needs, the principle is unchanged and the idea could have been implemented then if the heart had been there.

In two recent issues of this magazine we published the background to the changes that have emerged through the work of the Light Aviation Airports Study Group (LAASG), so there is little point in repeating the situation here in full detail, but a brief resumé of the pros and cons and complications of the case may prove helpful:-

- 1. In support:** A substantial saving by avoiding CAA licence fees, a possible geographical spreading of pilot training facilities, bringing these nearer to people's homes or workplaces (and there are some areas in the UK where long travel distances are necessary), dispersal of circuit noise (admittedly a mixed blessing, reducing this in some places but bringing it to others, but at least providing a more fair distribution) and the removal of the requirement for an expensive rescue and fire fighting service (RFFS). In this latter context it is worth noting that in the LAASG's study period of 16 years about 50,000 students undertook PPL training in the UK, involving three million flying hours, yet there was no evidence that the absence of RFFS would adversely affect safety.
- 2. Objections:** More noise at some sites used now for only occasional flying; probably planning problems regarding movement numbers and even change of use; nuisance and legal liability matters including possible

exposure to litigation; overall responsibility for ensuring that a site (perfectly safe for use by qualified and suitably experienced pilots) offers sufficient scope for a student to make misjudgements in safety; and the possibility that if training is extended to more bases and spread too thinly among operators, some such organisations may become unviable.

There are other issues that do not necessarily fit into either of the two lists above, such as handling of complaints from local residents, as operators will be unable to say that they are flying in accordance with the terms of the aerodrome licence. This extends to the responsibility for ensuring that the aerodrome has (and retains) sufficiently unobstructed approach and climb-out paths and sideslopes. Whilst the CAA confirms that the responsibility for ensuring that an aerodrome is safe for the purpose rests with flying instructors and aerodrome operators, who will ensure that standards are maintained? Who will be the person held to blame if there is an accident: the CFI, the



the authority's inspectors have insisted on walking their 'wheelie' machines along each runway to ensure that the length has not changed since the previous visit!

instructor flying on or authorising the flight, the aerodrome owner, the owner/operator of the registered training facility...?

The new system came into effect on Wednesday, 14th April, but by then the revised CAP 428 – Safety Standards at Unlicensed Aerodromes, which is the intended guidance document – had not been completed. Unfortunately this has proved more complicated than expected, as the title of the document is being changed to Safe Operating Practices at Unlicensed Aerodromes, and this requires a change of CAP number, leading to a delay in publication. As an unsurprising result, at AOPA we have been asked for advice from aerodrome and airstrip operators, flight training providers, flying instructors and others. While to a certain extent we have batted in the dark, we have assembled the key facts and I hope that this summary will prove useful:

- 1.** Training for the grant of a PPL or an associated rating may be carried out from an unlicensed aerodrome, on fixed-wing aircraft up to 2,730kg MTOM and on rotary-wing machines up to 3,175kg MTOM. This extends to related flying tests. (This removes the requirement for use of a licensed aerodrome from Article 208 of the Air Navigation Order 2009).
- 2.** A new Article 208A makes flying instructors and aerodrome operators responsible for ensuring that an aerodrome is suitable for

flying training.

- 3.** Whilst previously an aircraft was exempt from the 500ft rule when taking off or landing in accordance with normal aviation practice at any aerodrome, such an exemption did not extend to practising approaches at an unlicensed site. That has been cleared by an amendment to Rule 5 of the Rules of the Air Regulations 2007, to cover the needs of circuit training.
- 4.** Although the exemption from the 500ft Rule above covers flying training, where a licensed aerodrome is in close proximity to a congested (built-up) area, such protection would not cover other flying in which an approach or climb-out would breach the 500ft clearance. In these circumstances, the CAA advises that such an aerodrome would need to remain licensed.
- 5.** To carry out training from an unlicensed aerodrome the requirement for a fully kitted and staffed Rescue and Fire Fighting Service (RFFS) is removed. This is replaced by a reduced scale of on-site emergency services, including a suitable vehicle capable of carrying personnel and equipment (although the latter can be on a trailer), fire extinguishers, first aid kit, people capable of using that equipment and a clearly marked telephone to summon further assistance.

6. An earlier proposal to allow CAA-approved flying training organisations to conduct training on aircraft up to 5,700kg MTOM at unlicensed aerodromes has been dropped.

7. It is not clear whether an aerodrome used for training is required to have radio. If so, the cost will far exceed the saving from not needing an aerodrome licence as, despite objections from all quarters, the Office for Communications (Ofcom) are demanding fees for ground radio stations that far exceed the expense of the licences. This could be from £2,600 to £6,000 for a single VHF frequency, so will GA go largely non-radio?

At this stage no-one can be certain about how all this will work in practice. Equally, there is no single clear-cut answer to whether an existing licensed aerodrome should change to an unlicensed site, as this must depend on several issues, e.g. what other operations are conducted and whether it is financially viable to abandon these to save on licence costs. Also, some places in built-up areas will need to consider point 4 above. Then there is the strong possibility of insurance/indemnity problems. Already AOPA has fielded many queries and we will continue to help. Eventually we will build a bank of knowledge and experience, so we will be pleased to have the communication links put into reverse: please let us know any pros and cons that you may discover as a result of the change. In principle any move that reduces cost and complexity must be welcome, but we are aware that some operators will have doubts and problems. It may seem strange that AOPA, as the organisation that suggested the change about 20 years ago, should have reservations, but much has happened since then. Almost certainly the change will prove beneficial for some aerodromes and some registered facilities, but equally certainly this will not suit all. Time alone can provide the answer. ■



Swifter, higher, stronger

In an apparent reversal of the authorities' previous stance on helicopter operations in the area of the London Olympics in 2012, the Department for Transport has begun a consultation on helicopter use around the Olympic site in East London.

No helipads have been planned for the site, and it has been said unofficially that only police, military and BBC helicopters would be allowed to overfly. It has been pointed out that this will condemn heads of state and other high-profile terrorist targets to sit in traffic jams, and now the government has decided to weigh up other options. In a round-robin letter to helicopter industry personnel sent out in early May, Mr Phil Dykins, Head of International Air Services at the Department for Transport, seeks operators' views on the pros and cons of helicopter provision for the Olympics.

The letter says: "Recent estimates suggest that international visitors attending the Games will include 500,000 overseas spectators, 45,000 overseas 'Games Family' visitors (athletes, media, officials, VIPs), 25,000 overseas sponsors and guests, and 150 heads of state. The majority of these visitors will arrive and depart on commercial flights to and from the five main London airports. But as a recent study has shown, a substantial number of visitors are expected to use private aircraft, with around 10,250 such aircraft movements estimated for the Olympic Games period alone. Capacity limits at the main London airports and air traffic constraints are likely to mean that the vast majority of private aircraft flights will have to operate to and from other smaller airfields around the south east. The same may be true for heads of state, though other

arrangements are also being contemplated for them.

"The main drawbacks to the use of such airfields is their distance from Central London and the Olympic site and the lack of practical public transport options available at most of them. It is already clear that there is some interest in providing helicopter transfers into or closer to London from such airports. It is also clear that there will be significant obstacles to any increase in helicopter operations into London during the Games period.

"The Department for Transport (DfT) has therefore commissioned a project to examine in more detail the opportunities and challenges surrounding the use of helicopters in connection with the 2012 Olympics. In summary the DfT wishes to:

- Assess and quantify the potential 2012 Games-related demand for commercial and non-commercial helicopter operations; taking account of factors such as the availability of aircraft, landing sites and airspace constraints.
- Identify the potential benefits of accommodating the additional demand for helicopter operations.
- Establish so far as possible likely airspace constraints including security and noise restrictions around Games locations, potential conflicts with other airspace users and other airspace limitations.
- Identify leading options (based on operator demand) for possible new or enhanced helicopter landing sites and associated

Top: the 2012 Olympic stadia under construction in London's East End.

routings; taking account of environmental impacts and other constraints

- Identify and assess land use planning constraints both existing policies and the likely attitude of authorities to any applications for new temporary helicopter facilities.
- Understand the net CO2 emissions that are associated with such helicopter operations.
- Understand the options and receive recommendations for the development of a policy on commercial use of helicopters for transportation of visitors to, from and at the Games."

Large GA feeder airfields for the Olympics will include Southend, Lydd, Biggin Hill, Farnborough and Oxford, and many smaller airfields are interested in getting a piece of the traffic. AOPA has been active in a number of meetings with those responsible for security at the Olympics, trying to ensure that access to no airfield is unreasonably restricted during the Games. The new DfT move opens up the possibility of significant commercial benefit to GA from the Olympics, as well as increased security.

There are many potential heliports in and around the Olympic site. Some 15 years ago the British Helicopter Advisory Board identified eight suitable sites along the Thames in addition to Battersea, including one at Gallions Point, off the east end of the runway at London City Airport, and another near the southern entrance to the Blackwall Tunnel. There are innumerable now-derelict sites in the East End of London with clear approaches, and some are already used on an ad hoc basis for aviation purposes.

During the 1996 Olympics in Atlanta, Georgia, a fleet of more than 50 helicopters flew some 1,400 hours providing transport services for athletes and VIPs, allowing events to take place on time despite some of the western world's worst traffic. ■

Think you've got problems?

IAOPA-Europe's quarterly Regional Meeting looks at the major issues each country faces. Pat Malone reports

Right across Europe traditional 'Group A' flying is under pressure, and some delegates worry that aviation is polarising into two camps – ultralight leisure flying and commercial air transport – with nothing viable in between. If general aviation business users are forced out and GA becomes solely a leisure industry, it will be a wide open target for those who would shut it down.

The situation is starkly illustrated in Italy, where there are more ultralights per head than anywhere else. AOPA Italy's Massimo Levy said: "We probably have some 18,000 ultralights, and they are very active, largely because in Italy they are a sports item in the same category as a tennis racket – no licence is required to fly them, and there are no safety requirements. We have developed very good contacts with the ultralight community, but we are losing ground because a new law has been passed which gives them the same access to airspace and airports that we have – the same of everything, but they do not have the licences, the safety regulations, and the terrible costs that fall on us. If they can, people are moving away from our type of aircraft into ultralights, and the more our sector shrinks, the worse the situation becomes. Of course, the coming of EASA will change the situation, but I think only to make it worse for both sides."

Italy's airports have been given to private enterprises on a 40-year lease in return for ten percent of the landing fees, and the Italian CAA now has little control over them. Massimo said: "Ultimate control has been handed to the 18 regions, so instead of being obliged to go to one CAA, now we have to go to 18 regional presidents. There are 100 airports, 47 of which are open to CAT. Out of these 47, 44 have restrictions on GA access and 28 do not supply avgas. Florence, for instance, has a PPR requirement. When you fill out the PPR form, you are required to give your credit card details. Why? Because if they give you permission and you divert elsewhere, they fine you €200. This is dangerous, but nobody at a political level can stop it."

"Having lost the airports, the CAA has been given responsibility for airspace and has hired two former air force generals to take charge. They don't even make a pretence of listening to general aviation."

Bright spot

Each delegate was asked to describe the three major issues facing his or her own country, and everywhere, the story was the same – galloping cost increases, crushing regulation, half-baked security demands, non-availability of avgas, new environmental pressures.

One bright spot is Russia, where the authorities are just beginning to understand the concept of general aviation. AOPA Russia's Vladimir Turin said: "Russia is slowly getting out of the Stone Age as far as GA is concerned."

Right: IAOPA President Craig Fuller, General Secretary John Sheehan, and Senior Vice President Martin Robinson

Four weeks ago Prime Minister Putin signed a new regulation which means that airspace is no longer totally controlled by the military. We will have Class A, C and G airspace from November 2010. This is good news, but the first battle we have to fight is the proliferation of military airspace restriction. They are now claiming huge areas of airspace, and we have to fight this.

"There are other areas of progress. We finally got night VFR accepted, and we don't have to issue tickets to our passengers any more. We don't have to get official weather – we can take it from any internet source – and we don't have to pass a pre-flight medical check. This has been achieved by AOPA, which is the recognised GA body and is invited in to discussions with the authorities.

"We still have a long way to go on the type certification process. Not many aircraft are certificated in Russia – for instance, it's impossible to get a second-hand Cessna 152 into the country because there is no recognised type certificate. But things are improving!"

Poland, too, reported some solid achievements. AOPA's Blazej Krupa said: "We have been fighting for the modification of controlled airspace around Warsaw, and we have succeeded in allowing more VFR traffic in. Working with the Polish parliament, we have also managed to get permission for air taxis and flight training organisations to use unlicensed airfields. Avgas is not expensive, at €1.12 per litre, and if you're flying abroad you don't have to pay the VAT. In addition, after ten years of work by AOPA, avgas is now available almost everywhere. Poland is a great place for the GA pilot to visit."

Schiphol solution

Ari Stigter of AOPA Netherlands reported that the Schiphol Mode S problem was close to resolution. It arose when Dutch authorities mandated the use of Mode S in all aircraft, which swamped Schiphol radar. As a result, aircraft were ordered to switch transponders off, and new restrictions were placed on flight under the Schiphol TMA. Filters have now been developed and tested for Schiphol radar,

which means that those who went to great expense to install them can be filtered out from June 3rd. As a result, GA was expecting to get back the area under the Schiphol TMA that has been closed because of Mode S.

One problem that is likely to spread elsewhere in Europe is Natura 2000, the European network of nature sites which have been imposed in many countries. Two Dutch pilots have been prosecuted for allegedly infringing a 1,000 foot exclusion zone over a Natura 2000 site. They appealed against an automatic fine, and the judge cut it in half because they had complied with all the rules of the air and their airmanship was impeccable. AOPA Netherlands is taking the case to a higher court.

Ari Stigter said: "We are lobbying the government to settle this problem. Laws have to be harmonised, and people need to know what laws they have to comply with. It should at least be possible for a local pilot to know."

Jacob Pedersen of AOPA Netherlands also reported problems with Natura 2000. "This is one of our priorities," he said. "The original proposals would have banned flight operations into our islands because of bird sanctuaries, also major parts of the country and open water areas. We fought that and managed to put it back by a couple of years.

"We are asking for scientific evidence that there is any effect on wildlife from aircraft. Our experience is that wildlife is unaffected by aircraft. One only has to look at the amount of wildlife that chooses to live on grass airfields to see this – it's not until you open the aircraft door that they are affected.

"We asked for studies to be made by biologists and wildlife experts, and what we got was the strangest mix of random observations – someone saying 'I saw a light aircraft, and two swans took off from the lake'. There's no information on type of aircraft, height, link between alleged cause and effect... so we are now proposing to conduct flights in these areas to get some genuine data."

Denmark also has a problem with fuel. "A couple of years ago, the major suppliers closed fuel stations at small airfields because there was insufficient profit," Jacob said. "While most airfields were unable to take over because the environmental requirements are no onerous that they cannot afford to comply, some airfields did in fact take them on. Now the CAA has woken up to this and said they're not confident that operations are safe if they're not provided by a large company with long experience. So they've increased training and other requirements so those small airfields will



have to give up. We are arguing that every year accidents are caused when pilots run out of fuel, so availability is a safety issue – yet there have been no accidents because regulations on fuel storage were inadequate. It's always better to refuel before you go back, and if you can't there is an increased risk."

Denmark is also trying to address the European fuel tax requirement by going down the UK route, which is to reclassify avgas as a specialist fuel with its own tax bracket.

In Switzerland, one of the main problems is cross-border flights. AOPA's Roland Becker said: "We are a small country, and even with a single-engine piston aircraft you're going to cross a border very soon. We are part of Schengen but we are not part of the EU customs union, so we are not usually allowed to fly from a non-customs airport to a similar airfield outside Switzerland. We are discussing this with the customs regulatory authority – we have to file a flight plan anyway, and there's no reason why it should not be forwarded to customs, who can come to the airfield if they wish.

"We are overwhelmed with regulation, with too many things happening on a European level, and our other issue is security – getting access to airports without excessive burdens is a major cause for concern."

Security issues

Nowhere are security concerns more pressing than Luxembourg, which only has one airport, with three flying clubs. AOPA's Gottfried Zankl said: "Security is quite ridiculous. The airport authorities constructed a special entrance for members of the three clubs, and you need a badge. To get the badge you have to go on a five-hour course to learn about the difference between safety and security and so on, and it costs €100. There must be two security guards on this gate, one of them a woman, and they leave at 10pm. So we couldn't get out if we arrived after 10pm. After endless discussion the airport agreed to put in a turnstile so you can get out but not in.

"A new order requires us to pass a police control if we fly to a non-Schengen country. The control is one and a half miles away, so you get a taxi to the police then go back to your plane. To get to the met station, we must go to the main terminal building, and to do that we must use the handling agency, and pay their fees. Handling has gone up by 1,000 percent, from €10 to €100 for a light aircraft. Our clubs now do circuit training at a former US airbase in Germany where we can do circuits for a lump sum."

Sweden is facing the perennial problems of airfield access and airfield closure; Barkarby, the last paved GA airfield near Stockholm is due to close shortly, and the only alternative, Bromma, is already operating under curfew and with severe restrictions. Provincial airports that have one commercial movement a day are closed at other times, and GA users must pay exorbitant sums for ATC, fire and emergency cover at other times; for years AOPA has been trying to persuade the local authorities who own them to allow the use of these airfields at other times without all the facilities having to be present. Fuel availability is also a problem. Lennart Persson of AOPA Sweden said: "We are trying to educate politicians about general aviation, but they have very little knowledge and not much interest."

Spain still suffers under the requirement to file a flight plan before every single flight, something AOPA Spain has been trying to have rescinded for many years. AOPA's Carles Marti said another target was night VFR, which

is not recognised in Spain. "We have been sent a ruling that ICAO does not distinguish between day and night VFR, which has given us the chance to say that the rules should be the same for both, and we are preparing that approach now," said Carles.

Spain also has a de facto monopoly running its airports, and they are reluctant to provide access for general aviation because the profits are all in CAT passengers.

The flight training aspect of general aviation in Portugal needs to be resuscitated, said AOPA Portugal's Dario Artilheiro, because with no Portuguese pilots coming through, the national airline TAP is now forced to hire Spanish and Italian pilots. "Youths don't see a future as GA pilots," said Dario. "They look at the difficulty and the cost and they go and do something else. EASA regulation is producing no benefits – it doesn't make us feel any safer but it does make everything more complicated and far more expensive. We are weak and few, and we need a strong IAOPA to speak for us."

Problems remain in getting permission to fly from Lebanon to Cyprus, which is virtually the only viable destination for small aircraft leaving Beirut. For many years Cyprus refused to accept any Lebanese aircraft, but now you can fly with 72 hours notice, and with a minimum landing fee of €500 for a 172. Hadi Azhari, chairman of AOPA Lebanon, said: "It's difficult keeping pilots interested in flying in Lebanon because we have only one civilian airport and you get sick of circuits."

Avgas costs twice as much as in Poland, having more than doubled in ten years; at the same time GA activity has halved.

In Cyprus itself AOPA has made some gains, thanks to the privatisation of the two major airports – one of the directors of the new company is a pilot who understands GA. Still, they have strange problems – Mode C is mandatory, even though there is no ground radar capable of picking it up. Fuel is €2.30 per litre. AOPA's Yannis Papaicovou said: "We can't recommend visiting Cyprus because the handling is very, very expensive. We have tried to set up our own handling agency, but so far we have been unable to do so."

Avgas price cut

Greece has been making great strides in becoming more GA-friendly, largely through the efforts of AOPA Hellas, but because of the country's financial situation many problems are difficult to tackle. AOPA Hellas President Yiouli Kalafati said: "We can operate from 40 airports, landing fees are cheap and handling charges are only €15 for AOPA members. But hours of operation are restricted, and there is a shortage of personnel, particularly in ATC – and given that it's still not possible to fly other than on designated airways, that's a problem.

"Last year we managed to bring in a new law allowing aero clubs and individuals to supply avgas, but the previous monopoly supplier has cut the price by half a euro in order to suppress competition and availability has not increased much. If you want to fly in Greece, contact us and we can tell you where avgas is available."

For AOPA Germany, Dr Michael Erb said airport closures were the most pressing issue. "We have 500 airports, and 300 of them are grass strips," he said. "The others are mostly operated by communities and are public airports, but the communities are having a problem – they're not getting any money back from the taxes that are created at the airport, so they can't recover their costs. They have to have landing fees and conform to strict



Martin Robinson with Dr Michael Erb, Managing Director of AOPA Germany

regulations on providing fire and rescue services at all aerodromes, but sometimes communities must choose between closing a hospital or a kindergarten and closing an airport.

"We also have the most stringent noise regulations in Europe, which are far more strict than the ICAO levels. About 50 percent of our aircraft are not allowed to fly on weekends, and the lighter, quieter aircraft are especially badly hit because they are expected to conform to stricter regulations which are impossible to meet. At some airfields, only the Piper Senecas are still flying at weekends because they have a higher noise limit."

German pilots must also suffer background security checks from ten different state agencies. Dr Erb said: "If you have been in financial difficulty, they will take an even closer interest in you because they say you're more vulnerable to bribery by terrorists. We do support security measures, but there are limits."

Martin Robinson of AOPA UK identified the most important issue as the preservation of the UK IMC rating, a safety-of-life qualification which was under threat from European harmonisation. "The threat comes solely from an administrative change, because it is not currently possible to attach a national rating to an EASA licence," he said. "We are fighting this quite effectively. There has been a policy decision at our CAA to support the rating, and we are having high-level discussions with the European Commission through Timothy Kirkhope MEP, leader of the European Conservatives, who is a GA pilot with an IMC rating.

"The proposal for a more achievable IR in Europe will be out by the third quarter on this year. Michael Erb has done a lot of work on the reduction of the theoretical knowledge requirement, and we're looking forward to seeing the NPA. We don't wish to force the IMC rating on anyone, but we're keen to stress that it's not an IR with 20 percent of the training, as has been alleged – it's an additional rating that gives a pilot enough training to keep control of an aircraft in bad weather and get safely back onto the ground. If John F Kennedy had that rating, he would probably be alive today, and it seems daft that because of an administrative change, we should lose it.

"The French DGAC has expressed interest in the IMC rating. We believe it should be subject to national laws. European weather is not harmonised, and until they can harmonise the weather they can't expect to harmonise the way we deal with it."

Martin identified infringements, security issues and radio spectrum pricing as the other main issues facing AOPA in the UK. ■



Left: Stansted Airport sits in Britain's most sinned-against airspace

'My name's Mark* and I'm an infringer'

Sometimes the flights that should be the simplest turn out to be otherwise. And sometimes the flights that look like being more challenging turn out much easier than expected. One of the drivers to both outcomes is associated with proper planning – the lack of it in the first case, and attention to detail in the latter. If you haven't planned properly, you only need to throw in a few Human Performance issues and you're on your way to being another AAIB statistic.

Late last summer two members of the group I'm involved with were trying to sell shares in our aircraft. One of the sellers received a call from a chap who was interested in a trial flight but was unavailable to do the flight on the date arranged, so I offered to do the trial flight. The potential buyer and I had a brief conversation on the telephone a week before the agreed date, outlined how the demonstration flight would work and agreed to meet at 9am the following Saturday.

On the day of the flight I rose early and did only basic flight planning (check weather and Notam) as the intended flight was in the local training area. The airfield is less than ten minutes drive from home, but I left the house at 8am with the intention of having the plane ready to fly and hopefully getting breakfast at the airfield before our meeting. Less than a mile from home I found the body of a man lying in the road who appeared to be unconscious. The man had blood on his hands and face, and from the position of the body in relation to a roundabout it appeared that it could be a hit and run. I tried without success to rouse him, so called the emergency services. After a few minutes a paramedic was on the scene, and 15 minutes later an ambulance crew also arrived, at which point it was determined that 'our friend' was alive and that his injuries had more to do with a heavy night out than the involvement of any third

party. Somewhat shaken by the experience, I pressed on to the airfield. With the benefit of hindsight I'm pretty certain that I was probably NOT sufficiently focussed to fly.

By the time I arrived at the field our potential buyer was already waiting for me, so we hastily pre-flighted the aircraft. We jumped into the plane, quickly briefed the intended flight, and taxied out whilst also talking generally about the plane, the group – everything other than the flight we were about to undertake. Keen to let this chap get a feel for the plane, I performed the take off, got us straight and level at and then handed over to him and advised him to head east towards the local training area, keeping below 1500 feet QNH to remain clear of controlled airspace until we reached a local landmark which also marks the airspace boundary. On reaching that point our plan had been to head south east, towards an area where we could safely climb up to 3000 feet for some general handling. This is an area where I fly regularly, and know well. We'd already advised ATC that we were going to leave them and didn't try to contact any other frequency or obtain any radio service, because of the nature of the planned flight.

However, when we reached the VRP it became clear that some low cloud in the area of our intended flight was going to make the original plan a definite no-go. To the north and north-east we could see that the cloud was scattered / broken, and so 'we' decided that we'd head that way. What I hadn't originally planned but what 'we' then decided to do was to climb above some fairly wispy clouds at about 1800 feet and continue the climb. Once above the cloud we were still in sight of land but found it a little less wispy than it looked in the climb – broken would be a better description... However, there appeared to be cloud free sky further to the north / north east.

Still flying over broken cloud and trying to

keep a good margin of airspace between us and the cloud, but conscious of an airspace ceiling at 2500 I struggled to get a clear ground fix. We were getting bumped around a bit too, and I was keeping a bit too much focus on Pilot B's handling and insufficient focus on navigation. A cursory check of the map, (wrongly) cross referenced an airspace boundary on the map to a similar shaped dog-leg line showing on the GPS, agreed this (wrongly) with my colleague as the 2500 > 3500 TMA boundary and we proceeded to climb, now with cloud behind us and to the east but clearer ground ahead, up to 3400. As we climbed through 2700 / 2800, my co-pilot asked me if he could practice some general handling including stalling the aircraft. Uncomfortable with our height, I suggested climbing on to above 3000 feet. Once we got to 3,400, I agreed we could get to the handling section of the briefed flight. This is where my day got quite a lot more interesting... We hadn't really discussed the stall characteristics or the way our aircraft handled compared to some basic trainer types. We hadn't even really discussed what my co-pilot had flown before – the whole morning had been rush and interruption...

As the stall developed we were already in a more nose up attitude than really necessary, and then as the plane stalled my co-pilot did something which shocked both of us – he pushed the stick full forward and seemed to freeze. As we reached the vertical and the forward view filled with rapidly approaching green I eventually managed to regain the controls and recovered the aircraft back to straight and level. This involved pulling quite a lot more G than I'm happy with, and recovering less than 500 feet from the ground. We exchanged a few expletives – he was clearly shaken, and so was I – despite having had a share in this aerobatic aircraft I'd still not done any aerobatic training. We established that this plane was very different to anything he'd flown before, and I suggested for the sake of our lives and our loved ones it might be better for me to complete the handling demonstration. We climbed back to 3,400, and I briefed the stall and recovery action before demonstrating that all that was actually required was a release of back pressure for the plane to recover normally. Then gave the controls back to him and we returned to our home airfield. We remained under the cloudbase on the way back, but as we approached the VRP we'd passed on the way out it 'looked wrong'...

I resumed control of the aircraft and called the airfield, advised position and asked for rejoin instructions, which were given to me. On reaching the airfield boundary ATC called me and I was asked to make one orbit then join downwind. Mid-orbit I was asked to change squawk to 7466, and my co-pilot handled the change of squawk for me. An uneventful circuit and landing followed, after which I was asked to come up to the tower.

On arrival at the tower I was advised that D&D had tracked us from inside the TMA (from where I was not advised) and that Heathrow had been in touch already to advise they would be filing a report.

Fast forward three months, and I'm sitting in AOPA's office with Martin Robinson, an Investigation Officer from the CAA's Aviation Regulation Enforcement Department and a



dual cassette recorder, being cautioned and asked to relive the flight in detail whilst explaining just what we were doing 900 feet inside Class A airspace. The stress of this experience and the potential for prosecution is not something I'd recommend to any fellow pilot! However, with the weight of evidence presented (and knowledge gained from my own post-flight investigations, which included downloading the GPS log from my own unit) there was little I could do other than put my hands up and offer profuse apologies for the incursion and for the subsequent drain on resources for the others also interviewed as part of this investigation.

Fortunately, I've now been advised that the outcome of this investigation – which included obtaining radar traces and statements from the ATC units involved – will be a caution. This means that on this occasion I will not be prosecuted, but that the incursion is recorded and any subsequent infringement of airspace will be viewed in a very dim light indeed.

Lessons learned from this experience, which I shared with the CAA Investigations Officer and which may have played some part in them reaching the decision not to prosecute:

FRAME OF MIND – the incident with the injured man had left me shaken and not in the mental state that lends itself to flying with an unfamiliar face. It would have been better to disappoint the potential buyer and reschedule the flight than to be unsafe in the air.

TRANSPONDER – using this (with Mode C) gave the controllers involved the ability to route other traffic safely around us. If you've got it, use it – always.

RADIO – I had not used any form of service

available – despite having a LARS service and 'listening squawks' covering both the planned and eventual flight area. I'll now make sure I'm making use of the best available services whenever and wherever I fly – local bumble and cross Channel trip alike

NAVIGATION – VFR flight does not mean visually checking a map to a GPS; in the absence of a clear ground fix D&D could have assisted with a position fix, which might have prevented the Class A incursion. We also have NAV COMM units fitted; a simple VOR radial check would have highlighted the gross navigation error.

GPS USE – Know your unit, share it with caution. The GPS in our plane was mine, but used by other group members too. At the time I put it in the plane, it was set up for 'Track up', and had no roads displayed. At the time of this flight, it was 'north up' and roads had been added to the display. My map -GPS 'crosscheck' led to me mismatching a dogleg on the map (airspace boundary) with the GPS 'matching line', which transpired to be a dogleg in the M25!

SITUATIONAL AWARENESS – Perhaps because of frame of mind, I was still mentally flying east after changing course from the planned route and therefore actually flying north. This led me to look at the wrong area on the map and 'find' the airspace boundary which correlated to the GPS display

CRM – The flight was NOT well briefed. I knew where I planned to go, my co-pilot did not. Who was responsible for navigating? He clearly believed I had it all in hand and happily flew where I told him too.

There are other lessons we have taken on

board as a group – especially around other pilots flying our plane. We tend to be quite trusting of other pilots, but I had handed over controls of our aircraft to a chap I'd never met without any evidence that he had a licence or had even flown before. We'll now only allow potential buyers to fly with an instructor familiar with type, and we'll be looking for a bit more proof of suitability than a chequebook!

The real concern for me though, is that I **KNOW ALMOST ALL OF THIS ALREADY!** I honestly believe that the incursion would never have happened if the day hadn't started with the shock of the injured man; everything that happened or didn't happen on this flight was the result of going into the air when mentally I was not 'ready' to do so. My pre-flight checklist now has an extra check – me. AM I REALLY FIT TO FLY? And when I consider this now, it means something more than just "do I have a cold?"

The key issue to consider from a CAA investigation perspective seems to have been the question of whether safety had been compromised. Since we were operating the transponder Mode C throughout the flight, it was possible for controllers to maintain a margin of safety around us. However, had we been talking to an appropriate unit, or availed ourselves of a radar service, there would very likely be no story to tell. The real lesson here is to plan every flight properly, check for 'human performance' issues which might degrade flight safety before take-off, and then fly the flight as planned OR TELL SOMEBODY WHY THAT ISN'T POSSIBLE AND MAKE USE OF ALL SERVICES AVAILABLE!

*Not her real name ■



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Simples! Airbox Aware could save your skin

If you're shy of GPS because it's complicated, you want one of these, you do. By Pat Malone

Avionics company Airbox and National Air Traffic Services have come up with an excellent anti-infringement tool, the Airbox Aware, which could have prevented a lot of the infringements AOPA deals with on behalf of members. It sells for £149 including VAT, and AOPA considers that to be a worthwhile investment in your safety and that of others, not to mention keeping you out of the clutches of the CAA's legal department. It's simple and effective, takes up very little space and can be updated online free of charge. What's not to like?

The Airbox Aware is probably the easiest bit of aviation kit you'll ever use; there's a single page of dimwit-friendly instructions, and it really is just a matter of pulling it out of the box and turning it on. This is

technology for the technophobe; follow the instinctive monkey-see, monkey-do pattern and you can't go wrong.

When you turn it on you get a representation of the half mil chart with your aircraft in the middle and your exact position in lat & long and plain words along the bottom. If there's a big red cross over the aeroplane symbol, that means you haven't acquired any satellites yet. There's a black box at left giving your altitude. There are zoom buttons at bottom left, a brown button with an aeroplane on it at bottom right, and next to it a

blue button with an exclamation mark. The brown button resets the thing by putting your aeroplane back in the middle of the map, while the exclamation mark opens up an emergency procedures page which gives you the emergency transponder codes and stuff. You can move the map by tapping the screen in the direction you want to go, then get back to where you are by tapping the brown button. No options, no set-up, and 95 percent of the information a full GPS fit would give you.

So let's go flying. I arranged with Newquay airport to mess about on their fringes (thanks to Martin and Chris in the tower) and aimed the Robin squarely at the zone. The Airbox Aware gave three warning beeps when I was five minutes from the edge of a zone and heading towards it, and the circle around the zone went from green to red. A red square



popped up on the screen, giving the nature of the airspace, its extent and my distance from it. As soon as I turned far enough for the dotted 'projected track' line to miss the zone, the red square disappeared. Turning back onto a heading into the zone once again produced three urgent beeps, perfectly audible even with an active noise cancelling headset, and the red information square stating the dwindling distance between me and the zone. Running parallel to the edge of the zone produced no response until I was within a quarter of a mile. When you're underneath controlled airspace the beeps come with 500 feet left to climb into it, then again when you infringe.

I had the box on the seat next to me; it comes with one of those sucker things for sticking it to the window, but I don't like obscuring Perspex. Some people apparently stick Velcro on the back, others use a popular Ram mount that first it perfectly. I think it's best left out of sight somewhere, monitoring progress and ready to give you a kick when trouble threatens. Some may use it as a navigation aid, but the usual caveats go with that; Airbox is planning to upgrade it with flight planning software to make it more useful from that standpoint. The presentation is very good, visible even in bright sunlight.

Airbox's technology bloke William Moore tells me that the fundamental principle of the Aware is simplicity. "It's suitable for the chap with the chart and stopwatch who is wary of GPS systems that are complex," he says. "If anyone has any questions about how it works, or experiences problems, they can call me or someone else at Airbox and we'll sort it out over the phone."



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AOPA is working with its members to reduce the number of infringements. It is every pilot's duty of care to plan a flight and fly properly.

GA must take responsibility to reduce the unacceptable level of infringements.

It is counter-productive if pilots think a transponder identifies them for CAA investigation. Pilots should realise that a transponder could save their lives and should be switched to ALT mode.

The Airbox aware, in association with NATS, helps pilots maintain situational awareness and improves safety, more so when used in conjunction with a transponder switched to ALT mode.

Before you fly – think!

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Left: flying parallel to the zone triggers no alarm

Above: Power Monkey is useful unless you hard-wire your Aware in

William, a private pilot who's just bought Robs Lamplough's Yak 18, says there will be upgrades in future, including flight planning software so you can plan in the comfort of your own home – but that's getting ahead of ourselves. It's primarily as a tool to avoid infringements of controlled airspace that the Airbox Aware as currently offered is so useful.

A couple of other points. It's no use turning it on when you think you might already have put a foot wrong, because it takes the best part of a minute to load up, acquire satellites and give you a fix. And the battery in it is weak. I got 50 minutes before the low battery warning. Unless you've got a cigarette lighter, you really need the Power Monkey to go with it – Airbox also sell it on the website. ■

Win an Airbox Aware worth £149

AOPA will be giving away an Airbox Aware every month to new members, whose names will go into a draw. Sign up now for a chance to win one of these valuable GPS aids.

Duxford Safety Bonus Day

Duxford's Safety Bonus Day on April 17th was a great success, with some 140 aircraft flying in and scores more pilots arriving by road to get the benefit of the safety advice on offer.

Unlike last year's event, which was virtually rained off, the weather was brilliant – the only cloud on the horizon was made of volcanic ash, which left the skies clear for piston power. Flying into Duxford, several pilots took advantage of the circumstances gratuitously to cross the Luton zone, interrupting the controllers' board game.

Among those with stands at the Bonus Day were the CAA's David Cockburn, Jonathan Smith of NATS, Carol Cooper, CFI at Andrewsfield, Martin Smith from D&D, Andy McKnight from NATS, and Colin Potter from AIS. AOPA had a stand, where Mick Elborn explained the Mentoring Scheme; Martin Robinson, Mandy Nelson and George Done greeted members and signed up new ones while Mel Stewart, Chris Royle and others helped out.

Jonathan Smith was promoting the Airbox Aware anti-infringement tool, which not only looks very handy but has the potential for useful upgrades in the near future – see separate story. New members' names will go into the hat to win a free Airbox Aware from this month.

There are several more Bonus Days planned for this year, including an AOPA Bonus Day on September 18th – get it in the diary now, come and meet some AOPA people and raise any topic you like.

More than 140 aircraft flew into Duxford for the Safety Bonus Day at which volunteers manned the AOPA stand



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