



EUROPEAN GLIDING UNION

# EGU Newsletter 3/2016

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## Editors note

On the EGU website you find a lot of useful information, e.g. all presentations from the Congress in Graz. If you have forgotten the password to the internal section, please contact EGU. <http://www.egu-info.org>

## Important Workshop – your attendance is most important

We invite representatives from our member states gliding federations to the workshop in Cologne on 8 December 2016 (all participants shall register prior to the meeting):

<https://www.easa.europa.eu/newsroom-and-events/events/workshop-easa-rulemaking-task-%E2%80%98revision-operational-rules-sailplanes%E2%80%99%E2%80%93>

See also Henriks note below

## A report by the President

Patrick Naegeli

Earlier this summer, we reported that the EGU's workload was about to increase significantly as work began on the complete review of EASA gliding regulations - Part-Gliding. This is exactly what has happened, and we now find ourselves directly involved in two major areas of work – operations and licensing and training. The EGU has provided its members with regular reports on the EGU-EASA discussions on Part-Gliding while the design of the programme was being worked up. As soon as the identity of the two work areas was decided, the EGU contacted each of its members to request specific points of contact for each work area – the aim being to make sure that we can involve members and receive input in all areas of work.

The Operations working group was the first to be formally established. Its work has largely concentrated on the scope and content of the regulations pertaining to specialised operations – areas of gliding activity that are deemed a sufficient enough departure from normal activities to require extra rules and regulation. Unfortunately, regulators unfamiliar with gliding had initially concluded that such widespread activities as aero tow launching and aerobatics flights should be subject to specialised operations. Given that both require pilots to (a) fly within licence privileges, and (b) operate aircraft in accordance with the relevant flight manual, we do not think that they should be considered as anything other than normal operations.



We are now in the process of trying to persuade EASA - and the national aviation authorities (NAAs) that are also involved in the Ops working group - that aero towing and aerobatics should be moved out of specialised operations. This may not, however, be an easy process, as the discussions will need to satisfy all parties that

normal gliding operating procedures are sufficient to manage all directly associated risks. Henrik Svensson leads the work on behalf of the EGU and will be detailing work stream progress over the coming months.

If the Operations work stream presents us with some challenges, then the second work stream – licensing and training – may well turn out to be even more complex given the range of changes that we are trying to introduce, for example:

- Consolidating the two existing gliding licences – the SPL and the LAPL(S) – into a single, new licence that will allow a pilot to exercise privileges in line with the medical that they hold is an idea that appears to be broadly understood and generally agreed on. Nevertheless, it requires a number of detailed changes, the benefits of which might not be fully appreciated outside of the gliding community;
- The full adoption of the principle of competency-based training will simplify a range of rules and regulations. For our proposals to be considered reasonable, we will have to show how these changes can be implemented without having any negative effect on gliding risks;
- The much-needed overhaul of the EASA examiner system – based on the systems used by power flying, and far too complex and burdensome for gliding – will require non-gliding stakeholders in the process to accept that gliding should not be thought of in the same way as other, more complex, flying disciplines.

The EASA-sponsored licensing and training group comprises two experienced regulators from EASA, three from the EGU (Meike Müller, Andy Miller, myself), and representatives from seven NAAs, and one other subject matter expert. It held its first meeting at the end of October, and is scheduled to meet on three more occasions between January and July 2017. The group has been organised into two sub-groups so that it can divide and efficiently review existing regulations. We are hopeful about the potential for the overall group to make progress – but

aligning the different thoughts and views of such a disparate set of people is not going to be easy.

Assuming that we do not hit any major problems, the outputs from both the Ops and licensing and training groups will lead to new regulations being implemented at some point after 2019 – most likely 2021. This has implications for how individual countries handle the regulation of gliding until the new rules are introduced. These are some of the broader issues that we are going to work through with EASA sooner rather than later.

Part-gliding was a focus of the 2016 EGU conference in Austria; we are expecting it to be a major focus of our 2017 conference. In the meantime, we ask that you continue to provide the EGU with your inputs – they are gratefully received. The Nordic Gliding meeting, and the EGU licensing and training workshop in Amsterdam, were great opportunities for us to discuss EASA-related matters with several countries at one time. Thank you to the Nordic gliding countries for inviting the EGU to their meeting, and to all those EGU members that attended the Amsterdam meeting.

The EGU does not like doing nothing other than talking about EASA – there are so many other things that the gliding movement needs to focus on. In future newsletters, we hope that we will be able to introduce more of a balance in our reports to you.

Have fun, stay safe.

Patrick Naegeli

## Training and Licenses

### TO Training Andy Miller

Work with EASA has started. Our full title is: "EASA RMT (Rule Making Task).0701 "Revision of the sailplane licensing requirements". This is a brief note immediately after the meeting.

The working group has three members from the EGU Board: Patrick Naegeli (chairman), Meike Müller & Andy Miller, seven NAA representatives - France, Spain, Germany, Netherland, Denmark,

UK, Norway, two EASA officers and the European Sailplane Manufacturers.

Principle challenge for the EGU team will be persuading the NAAs. In varying degrees, they want regulation that we see as a burden, because

- they perceive a need for oversight
- they believe that regulation makes good things happen.

An EGU Position Paper, included with this newsletter, set the scene.



*The new EASA Headquarters building in Cologne*

## Operations

### TO Operations Henrik Svensson

This is a short report from our latest meeting about Rulemaking on OPS Sailplanes that was held in September. We made some good progress in some areas, we deleted some paragraphs, but we still need to find a better solution regarding special operations and we are also discussing the need for commercial operation, this will of course be one of the major questions at our workshop in December, you will find more information about this below.

We consider that aerotowing and aerobatics outside of air displays are not specialised operations and we will continue to push our statement at the next meeting in November.

We also discussed the issue about non-members taking introductory flights and its relation to marginal effects on the total activity; this is an area we still need to make some more progress. If all persons become a day-member and fly an introductory flight – then it is no problem...

Next meeting of the expert group RMT.0696 will be November 2-3, we will then continue the

work with more simplified OPS rules for sailplanes.

Next step will then be the workshop in December. We invite representatives from our member states gliding federations to the workshop in Cologne, and I think it is important that EGU have a good representation from many member states. Here is preliminary information on the workshop on 8 December 2016 (all participants shall register prior to the meeting): <https://www.easa.europa.eu/newsroom-and-events/events/workshop-easa-rulemaking-task-%E2%80%98revision-operational-rules-sailplanes%E2%80%99-%E2%80%93>.

### *The new EASA Headquarters building in Cologne*

All people that will attend the workshop will prior to the meeting have all working documents such as draft rules etc., after the workshop there will also be possible to send comments until mid-January 2017. We will then have two additional working meetings next year in the OPS working group and the plan is to have the opinion published in June 2017.

**Please send a delegate to the workshop as your attendance is most important!**

If you have any questions regarding our OPS work, please contact me.



*Henrik*



October 2016

## Summary EGU position on RMT.0701 “Revision of the sailplane licensing requirements”

### Background and context

The EGU was formed in 1992. Its membership comprises the official national bodies responsible for gliding in the majority of European nations. The national gliding associations of the USA, Canada, South Africa and New Zealand are associate members. In total, the EGU represents in excess of 90% of active European pilots, and is directly networked with in excess of 95% of the global gliding community.

The EGU has two principal roles:

- Support the pan-national development and sharing of safety, technical, training and operational best practice
- To directly represent gliding interests in pan-national regulatory, airspace and other forums

The EGU is able to call upon the world’s foremost gliding experts in any technical or operational field; it can access direct insights into the grass-roots impact of current/planned regulatory measures – in any one of its members’ geography, and collate information from the largest to the smallest of gliding clubs. In addition, the often de-regulated/self-regulated nature of gliding means that the EGU can also draw on those that have the greatest accumulated individual and organisational experience anywhere of developing and managing appropriate regulatory structures for gliding.

Work on the development of a standardised set of European regulations for gliding has been underway for several years. The EGU has closely monitored developments, participated directly in the drafting processes whenever possible, and provided constructive feedback throughout. The basic EASA rule-making process has, however, traditionally taken the regulatory approach from power flying, and sometimes even commercial aviation – both already highly formalised and significantly harmonised activities - as the starting point for gliding.

This broad approach has always made it very difficult, if not impossible, to ensure that gliding regulations end up with the required degree of simplicity and ‘light touch’ that is in line with the very simple nature of the sport. The choice of an inappropriate starting point makes the process of removing complexity and undue formality far harder than, in this case, the more practical alternative of adding it only where it is needed. The challenge has been further frustrated by an environment where the harmonisation of general aviation activities has often seemed to be a higher-order priority/overriding concern than establishing proportionate, appropriately evidence-based regulation.

As a consequence, gliding has faced an accumulation of unnecessary and inappropriate regulatory measures. These have often been arrived at without the required levels of scrutiny and impact assessment. The result is a regulatory burden that increases costs and compliance workload; establishes barriers and disincentives to participation; imposes significant changes to well-established and perfectly satisfactory operating procedures and behaviours; and, necessitates the redirection of scarce time and other resources to non-value added activities. In short, the regulatory trajectory that EASA is on is a genuine threat to the future of the sport. One can understand why this might not be evident to EASA and even to many NAAs – it is, however, all too obvious to those in national gliding associations and in clubs.

In June 2015, the EGU wrote to Patrick Ky to request the establishment of a specific programme to review and, where required, revise the full suite of EASA regulations pertaining to gliding. In order to provide working group members with the fuller text of our basic concerns, a copy of the EGU's letter is included alongside this note. The EGU was very encouraged by Patrick Ky's response to its request and the subsequent actions of his staff. RMT.0701 provides a unique opportunity to greatly simplify the regulatory structure for gliding – in short, to get things right.

### **EGU view of the scale of the required regulatory change under RMT.0701**

The considered position of the EGU and its member associations is that a substantial overhaul of EASA gliding regulations is required if we are to re-establish things on an appropriate basis, and avoid long-term damage to the movement. The fact that gliding among the longest-established branches of aviation, and is fundamentally a non-commercial, non-complex, club-oriented, volunteer-oriented, low risk – especially in regards to third parties - and traditionally very safe activity must be borne in mind at all stages in any rule-making task.

The EGU suggests that, prior to the drafting of new rules or amendments to existing provisions, a number of important design and/or scope changes will need to be considered in, for example:

- The basic principles that should guide the outputs of the rule-making process – and the ways in which those principles are then carried through to the detail of the regulations
- Fundamental elements of the licensing and training structure/procedures – to remove redundant elements, make the system simpler, efficient and practical without compromising risk management and safety
- Other rule-making programmes that currently cover gliding – in order to avoid the situation where gliding falls under an activity that is not part of Part-Gliding
- Individual nations' abilities to permit variations in the way in which regulations are implemented – to, for example, allow for grandfather rights to be simply and straightforwardly attached to national practices and procedures on transition; permit the introduction of flexible measures designed to stimulate access and participation levels – and so avoid the need to impose universal measures where such things might not be reasonable or necessary
- Transition timescales to the new EASA structure – to ensure that they allow sufficient time for changes to be properly implemented given the different circumstances that exist across countries

Examples of such potential changes are provided below. More may well come to light as work progresses.

The EGU appreciates that the work of RMT.0701 must go beyond a line-by-line read and change of the existing regulations. This is a consequence of the nature of the starting point used for previous gliding rule-making tasks. Nevertheless, the working group should not be dissuaded from taking the necessary, in some cases bold steps to get the right form of regulations.

## Design/scope approach

In preparation for RMT.0701, the EGU has worked closely with its members in establishing a common set of objectives for the outputs of the task force. The following items highlight some of the immediate things that the gliding community would like to see either guide the work or be included in/enabled through the revised gliding regulations:

- ***Gliding licensing and training regulations must be based around the specific nature and requirements of gliding*** – and not the constructs that apply to power flying, including the power end of general aviation.

The highly formalized nature of power flying – in particular, training, instructing, and examining – is not an appropriate comparator against which to consider gliding. The fact that ‘it is what is done in the power flying world’ has no bearing on what makes most sense for gliding. The gliding community has attempted to adopt the EASA regulations that came out of the school of thought that one could deal with gliding in the same way as power flying. In so doing, however, it has uncovered a wide range of significant issues and flaws.

- ***A single EASA Sailplane Pilot’s Licence*** – in essence removing the need for the LAPL(S).

The LAPL(S) was created in order to allow for pilots to be able to fly with an alternative medical to that required for an SPL. In almost all respects – training requirements, potential privileges, etc. - the SPL and the LAPL(S) are identical.

At present, glider pilots can only hold one licence type. If a pilot wishes to move from one licence to another, for whatever reason, they must incur the cost and effort of making an application to the appropriate authority.

It is our assertion that by issuing only one licence, and linking any variations in privileges to the type of medical held by the pilot, then we can eliminate the need for two almost identical licences and remove the administrative overhead/cost/etc. that arise every time a change is required. This would allow pilots to continue flying if, for example, they elect to obtain a LAPL medical instead of a Class II; or, easily upgrade their privileges in the opposite direction.

- ***A competency-based training system*** – to remove unnecessary complication and duplication from the existing training system.

EASA’s current licensing and training system is a mix of requirements, for example:

- Pre-training experience requirements for additional licence privileges, instructor and other ratings, and examiner certificates
- Defined training syllabi/course contents
- Specified minima for training time on particular course components
- Specified contents for assessment of competence/proficiency checks

There is undue complication and duplication in the system. This could be easily and usefully resolved by re-orientating the system around:

- A statement of pre-training experience requirements
- An overview of the required training content
- The principles of competency based training and assessment.

This would remove spurious training minima and put the emphasis on the issue of post-licence privileges and ratings on a candidate demonstrating the required standards during an appropriate form of assessment.

- ***A simplified structure of license ratings and privileges*** – to reduce the administrative

overhead of the system and remove the unnecessary use of examiners.

The current system has a mix of ratings, privileges and certificates. Some require the involvement of an instructor, some an examiner; some need only be recorded in a pilot's logbook, some need the competent authority to issue a new licence entry.

We need a simplified system that properly aligns the issue and recording of privileges/etc. The EGU suggests that the working group considers:

- Permitting the issue of post-licence privileges (e.g. new launch methods, aerobatics, cloud flying, self-launch, TMG) to be carried out by an appropriately qualified FI(S), and that the formal record be in the form of a specified log book entry
  - Permitting the issue of an FI(S) rating to be granted by an Instructor Coach once the training and assessment requirements have been satisfactorily met. A rating addition to the candidate's licence would be done through the competent authority
  - Permitting the issue of FE(S) privileges to be granted by an Examiner Coach once the training and assessment requirements have been satisfactorily met. A rating addition to the candidate's licence would be done through the competent authority
- ***A simplified and more useful examining system*** – to reflect the particular nature of gliding and the practical needs of the gliding community.

The current EASA gliding examining system is a direct 'lift' from the power flying world and makes excessive use of examiners:

- Prior to EASA, most gliding nations used examiners only sparingly.
    - *Flight Examiners* - were required in to test a candidate for the issue of the basic licence. That was, however, the limit of their activities. The addition of licence privileges was generally handled by an instructor, and then only after they had satisfied themselves that a candidate had received the requisite training and also demonstrated skills to the necessary standards
    - *Flight Instructor Examiner* – few countries had a role equivalent to the EASA FIE(S). Instructors were trained and appointed by Instructor Coaches; revalidation requirements varied – but did not generally involve a specific FIE
    - *Senior Examiner* – the appointment and continued oversight of examiners was handled by the simple promotion of a suitably experienced FE into the role of examiner coach. A process similar in form to that for the appointment of instructor coaches
  - The EASA examining system is inappropriate in a variety of respects. The EGU proposes a very significant overhaul of the current structure:
    - Simpler procedures for the training and appointment of FE(S)
    - Simpler procedures for the training and appointment of SE(S)/examiner coaches
    - The removal of the FIE(S) role, and a proportionate process for the training and appointment of instructor coaches
- ***A simplified and more progressive licensing system*** – to reflect the particular nature of gliding and the practical needs of the gliding community.

Glider pilots vary considerably in terms of ambition and areas of particular interest. EASA regulations allow for a range of additional privileges to be added to the basic licence. Cross-country flying is a privilege included in the basic licence. There are, however, two main reasons why we should change the scope of the basic licence and defer the issue of cross-country privileges:

- Many pilots either have no ambition to fly cross country, or would prefer to punctuate their training at a point that would allow them to fly with the freedoms of a licensed pilot until such time as they would like to have their privileges extended
- Doing so would allow for a shortening in the time it takes to obtain the basic gliding licence. This would reduce the risk that we lose pilots during the training phase because of frustrations with being able to complete the cross-country element (e.g. due to unavailability of suitable aircraft, poor weather/time of year/etc.)

It should be noted that airspace appreciation and field selection and landing would still be taught to the required standard as part of the basic licence. It is only the cross-country navigation aspects that would be added as an additional, post-licence issue privilege.

- ***The reassignment of the gliding-related component of the Training outside of ATOs task force to RMT.0701*** – to avoid the imposition of unnecessary and unduly onerous regulatory provisions on gliding.

The evolution of the work on training outside of ATOs has been problematic for gliding from the outset. The most recent proposals around the DTO concept offer not practical improvement on the original, unacceptable ATO construct.

If we are to avoid another uniformed and entirely inappropriate imposition on the gliding community, it is imperative that RMT.0701 is given the task of constructing the optimal arrangement for gliding.

- ***EASA FCL must allow for national discretion and flexibility*** – the EGU is strongly of the opinion that individual nations must be allowed a degree of discretion and flexibility over the implementation of licensing and training regulations. This will permit appropriate adaptation to local circumstances, and potentially greater access to gliding.

Of immediate concern is to ensure that the new licensing and training regulations should not do anything to restrict an individual nation permitting pilots to fly EASA gliders and exercise the full privileges of their licence under national medical provisions – clearly subject to any nationally defined limitations that need to apply under those specific circumstances.

It probably goes without saying that the overall aim in the structure of the new gliding regulations is that as many of the provisions as possible should be contained in the AMC or Guidance Materials, and as little as possible in the Implementing Rules.



## Next steps

The EGU has considered the degree to which its ambitions for RMT.0701 are aligned with the fundamental intent that was meant to underpin EASA rule making. We take comfort from the fact that Regulation 216/2008 explicitly states that any regulatory measures must be shown to be necessary, proportionate, and allow for flexibility and variation.

We respectfully propose that the RMT.0701 working group begins its work with

- A review and agreement of the above objectives and principles
- An early review of the current regulations in order to hone in on those areas most in need of review and redrafting
- Adjusts the scope of its work to also include the subject of gliding training outside of ATOs
- Gives urgent consideration to the need to extend the timing of the current FCL opt-outs until such a time as we can all be confident that the eventual transition can be made to take place in an orderly, unrushed, accurate and compliant manner

The EGU, and its member associations, greatly appreciate the creation of RMT.0701, and is committed to working with EASA in order to serve the specific needs of the gliding community more appropriately.

Patrick Naegeli  
President, European Gliding Union