



EUROPEAN GLIDING UNION

Representative Organisation of European Glider Pilots

Paris, 19 November 2004

Re: Comments to CRD 02 2004

Overall comments

We appreciate that EASA has taken into account our comments on licensing and operations of recreational and sports aviation in the Comment Response Document. In particular, we are very pleased to learn, that the Agency is in favour of creating a recreational licence with medical standards differing from the ICAO standards. We are also happy to learn that the issuing and management of such a licence could be delegated to sporting organisations and federations.

We nevertheless feel that the CRD and Essential Requirements are not specific enough for gliding. The word gliding is not even mentioned. These documents often refer to JAR regulations but it should be recalled that glider pilot licenses are not included in any JAR regulations. We assume that EASA intends to create a common restricted PPL with subparts PPL(A), PPL(B) for flying various types of recreational and sports aircraft (powered light aircraft, gliders, balloons etc). If this the case it should be clearly written in the CRD.

We also dislike the name “restricted licence”. We feel that this licence should not be defined in a negative way by the possible restrictions associated with it. We would therefore prefer to call it an “Air Sports Licence” (ASL) or an “EU (sporting aviation) licence”.

Furthermore, we believe that EASA’s thoughts about regulations for recreational activities are not clearly implemented in the Essential Requirements. As we have already mentioned during the first round of comments, these Essential Requirements have obviously been written primarily with commercially-operated aircraft in mind. We still believe that they should include specific requirements or exemptions for recreational and sports aviation.

Comment Response Document:

Par. 18 and 21 mentions that a PPL with restricted privileges will be introduced as an alternative to the existing JAR FCL PPL.

Comment: We assume that this also applies to gliding despite there being no requirements in existence for glider pilots under JAA since JAR-FCL part 5 was never drawn up.

Par. 20 and 21 mentions that *...a holder of a PPL with restricted privileges could be denied access to certain high density traffic areas.*

Comment: With our comment to NPA 2/2004 we have proposed a dual scheme for glider pilot licensing with an ICAO Licence and an EU [sporting aviation] licence. In our view, the applicant for both licences shall have passed the same training and examinations as required in ICAO Annex 1. Only the medical requirements should be different for the EU [sporting aviation] licence. We submit there is no justification for basing airspace restrictions solely on the medical status of the pilot. Furthermore, the term "simple traffic environment" does not refer to any of the defined ICAO airspace classes and should therefore not be used, as it would be open to varying interpretation by different EU airspace management authorities.

Par. 43: ... *whereas official certificates can only be issued by a governmental authority...*

Par. 56: ... *as a consequence such a licence will not be an official one*

Comment: In several countries, official licenses are issued by Federations or National Aeroclubs under delegation from the National Aviation Authority. Why would it not be possible for an accredited body to issue an official license with restricted privileges under a similar delegation ?

Par. 61: ... *the Agency does not exclude family practitioners from being considered as suitable examiners for the restricted PPL.*

Comment: We feel that this wording is too cautious. We would prefer the EASA to clearly state positively that either:

- (a) A self-declaration by the pilot of medical fitness to fly; or
- (b) the endorsement by the pilot's qualified and recognised general practitioner (doctor) of a pilot's self-declaration of medical fitness; or
- (c) where necessary (due, for example, to known pre-existing medical conditions of the pilot applicant) a medical examination by a doctor who is qualified and recognised as a general practitioner,

is acceptable for an air sport licence.

These options would allow the necessary flexibility to take account of different medical infrastructures in different EU countries. .

There has been considerable expert aeromedical evidence put forward in recent years in the relevant aviation forums, to the effect that such means of ascertaining medical fitness to fly do not increase risk to third parties compared with full medical examinations by aeromedical examiners. The current restrictions applied in many EU countries, and based on standards and risk assessments applicable to third parties in commercial aviation, deny recreational and sporting pilots their reasonable rights to fly.

The Commission, supported by the opinion of EASA, should take this opportunity in new law-making to remove these current restrictions.

Par. 76: *Definition of Complex-Motor-powered aircraft includes an aeroplane
.....equipped with (a) turbojet engine(s)*

Comment: As tests with gliders equipped with small jet-engines are taking place. e.g. in Sweden, we suggest exempting small aeroplanes up to e.g. 2000 kg MTOM even if they are equipped with turbojet engine(s):

We therefore propose to define complex-motor-powered aircraft as:

An aeroplane

with a maximum certificated take-off mass exceeding 5,700kg,

- or with a maximum approved passenger seating configuration of more than 9,
- or certificated for operation with a minimum crew of at least 2 pilots,
- or equipped with (a) turbojet engine(s) and with a maximum certificated take-off mass exceeding 2,000 kg

Par. 82: Last bullet ... *involving non complex motor-powered aircraft that are*

Comment: It is not clear whether « light » implementing rules for the operations will be developed or not for non-commercial activities. We would like it clearly indicated, that there will be no Implementing Rules for glider operations.

Draft ER for pilot licensing (Annex 1)

1.b.1 Theoretical Knowledge last bullet: *· communications*

Comment: It is not specified what the aim is. Should it be just enough to understand instructions from an instructor, or go so far as to feeling at home in TMA's and CTR's? We still have some free airspace for gliders, and we think that a brief course in communication, enough for gliding, will suffice in those areas. We fully understand that for gliding in airspace with a lot of traffic, a full training programme is required.

→ creating two levels is making things complex ...
→ « knowledge/training appropriate to the used airspace » will do

1.f Language proficiency

Comment: As already stated during the first round of comments, this is totally unacceptable for gliding.

Draft ER for operations (Annex 2)

2.g ... fuel reserve must be carried ...

Comment: a new wording could be: A sufficient fuel reserve must be carried.

Finally, EGU would be happy to be consulted for the writing of IRs dedicated to gliding and is prepared to provide its knowledge and experience for detailed recommendations based on best practice as developed successfully over many years.

Yours faithfully



Roland Stuck
President EGU