D E U T S C H E R A E R O C L U B E. V.
GERMAN AIR SPORT FEDERATION
Member of the World Air Sport Federation (FAI)
and of the German Olympic Sport Association (DOSB)

Response

by

Deutscher Aero Club e.V.

to the

General Aviation in the European Community

Commission Staff Discussion Paper

March 2007

Introduction

This paper has been prepared by Deutscher Aero Club e.V. (DAeC) in response to the discussion paper *General Aviation in the European Community* published by the Air Transport Directorate on the 1st of February 2007.

The Deutscher Aero Club e.V. is the German Air Sport Federation and member of FAI (The Word Air Sport Federation) representing Germany. The DAeC covers all kind of air sport and represents 100.000 airspace users and owner of approximately 15.000 aircrafts.

DAeC welcomes the discussion paper, which it believes makes a valuable contribution to the understanding of General Aviation. It should also provide a useful input, if the European Commission decides to develop a policy statement for General Aviation in Europe. DAeC believes there is an urgent need for such a policy statement in order to provide a consistent basis for the extensive rule making which is currently taking place in the field of civil aviation.

Following you find our comments referring to your numbering system:

(4) We strongly welcome this point and offer our expertise.

(5) In Air Sport it is very common that aircraft are owned and operated by more than one person or by a registered aero club as well (please refer to (33)). This shouldn't be confused with the new concept of fractional ownership and should be considered in the rulemaking process.

(25) DAeC does not support the new concepts of commercial operation with non complex motor-powered aircraft as proposed in the view on the extension of EASAs competence. To demonstrate air sport in public and to recruit new members it is fundamental for non-profit aero clubs to fly with passengers (sometimes even for remuneration). Operation not between two locations with aircraft of a capacity of less than four passengers should not be considered as commercial.

In aerial sport it is common practice that clubs support each other with their equipment in order to organise and undertake larger events such as a competition. A good example for such a situation arises during gliding championships, were it is common practice to provide aircraft to competitors who are unable to bring their own aircraft. Additionally the organising club does not operate an appropriate number of tug planes in order to have sufficient capacity to launch all competitors in reasonable time .Hence it is common to hire tug planes including pilots from other not-profit aero clubs. Such cases should not be considered as commercial operation.

We understand that the Commission is considering regulating fractional ownership to prevent hidden commercial operations. Care should be taken to prevent the proposed rule being interpreted as encompassing, inadvertently, the multiple ownership (known generally in aerial sport as syndicates and in most cases, arranged between private individuals for their own leisure use) of aircraft used for sporting and recreational aviation pursuits or even the operation of aero clubs.

The threshold between commercial and non-commercial operation should adjusted very carefully to avoid negative implications on air sport and recreational aviation including their social importance (111, 112).

(36) We confirm this fact completely.

(37)

Gliding:
Gliders also make use of wave system in mountainous areas. Hence airspace access up to 24.000 feet is required locally. Therefore Air Traffic Control provides gliding with special airspace boxes, which can be activated temporally on request. That is common practice in many Member States.

Hang Gliding and paragliding:
Cross country flights are undertaken in nearly all competitions and frequently outside competition when thermal conditions or other topographical factors allow. Take-off and landing is possible nearly everywhere, and particularly so as pilots are now able to add small power units to their canopy/glider to enable take off from any flat field. However, a significant degree of control is possible through each Hang Gliding and paragliding

national association in the member states. They are able to deal with varying local factors and play an important part in providing necessary safety standards. The pan European problem faced by our pilots is not infrastructure related but instead depends upon access to airspace.

(79) Gliding:
European glider manufacturers have the strongest position producing 80 to 90% of the aircraft on the world market[1].
Paragliding:
Europe is leading the way in field of paraglider design and production.

(98) The airspace planning policy is driven by commercial interests that easily can be seen at the work share Eurocontrol does for the European Community for the sole benefit of the Commercial Aviation. Complete Meetings are spend on working out the smallest details of how to safe time and miles flown in order to make more profit.

Access to Air space is made more difficult by the requirement for expensive technical solutions relying on assumptions not yet proven. The only reason to introduce 8.33 kHz radio technology is in the huge demand of the Commercial Aviation for more frequencies while the sports aviation community is forced to follow, because otherwise they will loose access to certain air spaces. The state aircraft are not going to be compliant for many more years to come. In the non profit orientated operations of air sport, this community is faced to an overload of costs without any further benefit concerning safety or airspace access; such developments should be avoided in further politically driven decisions.

Mode S Transponder carriage is mandatory for all aircraft in the ECAC region although many nations will not have the ground equipment in place or do not even plan to install it, as the requirement is only obvious in the European core area.

DAeC wishes to make it clear that there is more than simply a perception that access to airspace is becoming a problem, but this is a matter of fact. There are many examples where this happens. In addition the discussion paper itself fully admits and recognises (99) that there is a continued growth in the number of passengers and cargo flights which are increasing demands for airspace which in some regions is becoming a scare resource. It also acknowledges that the growth in activity of commercial aircraft is resulting in the expansion of controlled airspace which is making the operation of VFR flights more difficult. We argue that with the growth of commercial traffic, unless the EC take action, the activities of recreational aviation will be severely adversely affected. The EU must make provisions to protect unclassified and VFR airspace wherever possible.

(100) (c) The statement that for some parts of the industry up to 40% of the time the business aviation aircraft are moving unnecessarily is very disturbing in itself and even more so when the same aircraft require the GA to clear air space for this completely useless flights.

(105) DAeC agrees with the concept that there should be a weight threshold below which emissions regulations should not apply.

[1] http://www.glider-manufacturers.de/contact.html

(121) DAeC believes that Europe Air Sports should be part of the ICB.

(126) DAeC believes that alternative standards more adapted to the size, weight, category of aircraft and the kind of operation should be part of Community legislation.
For instance it is not reasonable to fence glider, model aircraft and paraglider launch fields as it would be enforced by the definition of airport provided by the parliament during the first reading. In addition it is not permitted by Community law to fence airfields which mainly are grass area, and often located in regions covered by the Flora, Fauna and Natural Habitats Protection Regulation.
Poorly laid out this regulation could have a strong negative effect on general aviation and in particular on recreational aviation.