

IAOPA Bulletin

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Paying the way

By John Sheehan, IAOPA Secretary General

In 2008 IAOPA will participate in a series of ICAO economic working group and panel sessions regarding guidance to States over air navigation service provider and airport fees. These will prove to be significant discussions for world international civil aviation, therefore it is good to review IAOPA's basic economic philosophies about these services.

Many countries of the world fund their aviation infrastructure development through user charges. Airlines pass these costs through to passengers, however general aviation must bear this burden as a direct operating cost. More important, most countries levy taxes associated with fuel consumed, yet few of these monies flow back to the aviation infrastructure. Therefore, general aviation is often double-charged for the services they receive. Additionally, a hidden "tax" is imposed on small aircraft in the form of expensive equipment mandated for operations in increasingly complex airspace.

Financing basic aviation infrastructure should be accomplished by the State, using excise taxes derived from either fuel tax rev-

enues or passenger ticket taxes. Where privatized or corporatized providers are involved, conventional private or subsidized capitalization schemes may be employed. And, since basic civil safety and order functions are involved in providing aviation services, a portion of the State's general revenues should also be used to create a safe and efficient infrastructure.

Once the capital, research and development, and future improvement costs of operational services have been accommodated, operational costs may be recovered through similar methods or a system of

The International Council of Aircraft Owner and Pilot Associations represents the interests of more than 470,000 pilots and aircraft owners in 66 countries. Formed in 1962, IAOPA is dedicated to promoting the peaceful uses of general aviation and aerial work worldwide.



graduated user charges. The use of excise taxes and other levies to fund system operations and maintenance are preferable due to the ease of collection of revenues and the lack of need for a complicated accounting system. Yet, operators who do not use certain services should not be charged for those services.

If direct user charges are employed, a graduated system of fees should be used that recognizes value for services received. Since the infrastructure is designed primarily for airline and military interests, general aviation and aerial work activities should be viewed as marginal users of the system and charged accordingly. Ideally, very marginal users such as gliders, ultralights and light-weight homebuilts with little or no avionics and that typically only fly locally should be exempt from any charges.

Charges for services must not discourage use of the system, as this would encourage unsafe practices. For instance, requiring a private pilot to pay a fee for meteorological and NOTAM briefings and for filing a visual flight rules (VFR) flight plan may actually contribute to unsafe operations. This is because pilots may choose to omit these essential safety services in an effort to avoid the associated charges. Therefore, consideration must be given to providing essential services using general government funds in support of safe operating practices.

The existing guidance provided for Air navigation services charging systems contained in ICAO Document 9082 provides succinct and appropriate counsel:

“The charges levied on international general aviation should be assessed in a reasonable manner, having regard to the cost of the facilities needed and used and the goal of promoting the sound development of international civil aviation as a whole.”

Equitable treatment for airspace/aerodrome users has always been a perplexing issue, given the great variety of commercial and non-commercial users within the air transportation system. However, the concept of cost of services provided versus value of services received is an important distinction to be considered. Whereas the air navigation services provider/aerodrome operator may consider cost per movement as the single determinant of value, the individual passenger/ parcel of cargo is the actual beneficiary of the service. Importantly, these beneficiaries are the entities that pay for the services provided, not commercial air transport organizations or general aviation operators. The comment in the working paper regarding aircraft weight as a suitable proxy for the ability to pay for services, and value received, is valid and appropriate.

Recent proposals to delete or dilute the value of aircraft weight as a principal method of charging for air navigation/aerodrome services will significantly alter the stability of these service providers. Reduced to its bare essence, the “one blip, one fee” concept is a largely untested concept that could easily have serious unintended consequences. These effects would likely ripple through the entire air transportation industry, both commercial and non-commercial. Therefore, extensive modeling and testing should be under-

taken before any significant alteration is made to existing charging schemes.

All taxes, fees and charges associated with airport and air navigation services must be established as a cooperative effort between government regulator, service provider and service user. Only a joint effort of this nature will yield a workable, safe and effective aviation infrastructure and avoid the “double taxation” that can occur if the service provider and the government collect fees and taxes from users. Dictated funding systems or those biased for or against any user segment may cause users to subvert the system in an effort to avoid unwanted charges. Finally, once planning and use mechanisms are put into place an ongoing dialog is necessary to preserve the system.

Affiliates should engage their service providers on these issues to provide them with the necessary background required for the upcoming economic discussions.

Secretariat News

Language proficiency or procedures/knowledge at fault?



IAOPA continues to attempt the mitigation of the impact of the ICAO mandated language proficiency standards set the take effect in March 2008. The principal motivation for imposing strict language proficiency standards is that potential misunderstandings in pilot-controller communications may cause accidents.

In a recent ICAO Air Navigation Commission briefing a report of the Swiss Transportation Safety Board determined that in their AIRPROX incidents (perceived loss of air traffic separation standards between aircraft) the non-observance of regulations was a factor for 32 percent of the cases, non-compliance with ATC clearance 30 percent, lack of situational awareness 26 percent, poor airmanship 21 percent, hearback/readback 19 percent, and inadequate

phraseology 15 percent. Therefore, air-ground communication issues were involved in 34 percent of the cases, some of which may have been language proficiency related. It seems that English language skill by itself is not necessarily the problem, rather miscommunication or lack of knowledge of proper procedures. This is an important insight for us to present to those who set the standards in ICAO, an insight that may potentially mitigate the effect of the language proficiency standards. This is especially important for a multi-lingual country where language proficiency is quite important.

Affiliates are requested to provide the Secretariat with additional evidence from their governments and investigative bodies that will reduce the importance of language proficiency on our largely VFR operations.

ICAO Annex 6, Part II rewrite approved

On 4 December 2007 the ICAO Air Navigation Commission approved the proposed text of the modernization of "Annex 6 Part II, Operation of Aircraft—International General Aviation Aeroplanes". This is a significant milestone that marks the completion of almost three years of work to completely revise this essential set of standards by IAOPA and the International Business Aviation Council (IBAC).

The revision divides operational requirements into broad categories, based on gross weight and type of propulsion. Aircraft with a maximum gross takeoff mass greater than 5,700 kgs and/or those powered by turbojets will have additional operational and equipment requirements added. The advantage for smaller more conventionally powered aircraft is that they will be subject to fewer and less demanding standards.

The amendment will be effective in July 2008 and applicable in November 2010. The effective date of 2008 will ensure that States and operators are aware of the upcoming changes to the Annex and the applicable date of November 2010 will provide time for States to make the necessary regulatory changes and for operators to be in compliance. Impact on smaller aircraft will be minimal.

IAOPA observer status in ICAO redefined

The ICAO Air Navigation Commission (ANC) is the body that considers all operational and technical issues that may eventually become the standards and recommended practices used as guidance by international civil aviation. IAOPA's participation in this body's meetings provides us with an ability to influence issues of interest to our members worldwide. Up to this point, some restrictive rules have excluded our participation in certain meetings. Now, IAOPA's ICAO Representative Frank Hofmann and representatives of five other major industry associations will be offered a standing invitation to participate in all except the most sensitive meetings of the ANC. In acknowledging this invitation, IAOPA Secretary General John Sheehan wrote the following to the ANC President:

"The International Council of Aircraft Owner and Pilot Associations is pleased to accept a standing invitation to participate in ANC meetings. Participation in these meetings is very important to our organization and our constituents since the work of the ANC forms the bedrock of the ICAO process of developing and modifying standards and recommended practices.

"While fostering the interests of our constituents is important to us, our intent in participating in ANC activities is to act in the best interests of the international civil aviation community in maintaining a safe, reliable and efficient air transportation system; consider us to be a useful resource for all aspects of the ANC's important work. However, this participation will be truly effective only if all accredited observers enjoy equal status in their interactions with the ANC.

"Finally, when considering the desirability of our participation in ANC meetings, please realize that the interests of the international general aviation community are quite broad; many ANC issues are relevant to our interests. IAOPA has provided input to or participated in groups and panels associated with virtually all of the ICAO Annexes throughout our more than 43 years of observer activity within ICAO."

ICAO to require safety management systems for commercial operators

For those affiliates who have commercial enterprises as supporters, including flight training organizations, maintenance repair organizations, and commercial air transportation providers, they should be aware of an important new ICAO standard with which they will have to comply by 1 January 2009.

All of the commercial entities mentioned will be required to devise and implement a safety management system (SMS) by that time acceptable to the State which issued their air operator certificate. The SMS is a system series of linked programs intended to provide an in-depth guard against unsafe practices that may lead to incidents/accidents. Typical SMS include methods of identifying safety hazards, mitigating those hazards and a system for assessing safety levels within the organization.

The overall effect of the program is to ensure continuous improvement in the organization's overall level of safety. Implementation guidance for SMS should be provided by the certificate holder's State but guidance already exists from ICAO, Transport Canada, the U.S. Federal Aviation Administration and U.K. CAA.

Charter operators, flight training organizations, maintenance repair organizations and for-profit aerial work companies—any organization required to hold an operator's certificate issued by the State CAA.

Note: At press time a new ICAO State letter was released that may extend the applicability dates for certain types of operators beyond 2009—check with your national regulatory authority for changes.



Members of AOPA-Japan (left) flew to the Seoul, Korea, military airport (below) for the 2007 Korea Aerospace & Defense Exhibition.

AOPA-Japan fly-in to Seoul airshow

Earlier in the year AOPA-Japan was invited by AOPA-Korea and airshow officials to participate in the 2007 Korea Aerospace & Defense Exhibition. In late October seven aircraft and 30 members flew from Kumamoto, Japan, to the Seoul military airport to participate the 19 – 22 October event. AOPA-Japan members provided static display services to the airshow during the public days of 20-21 October.



This has become a regular event for AOPA-Japan members, one they enjoy performing because of the benefits to general aviation within Asia. There is relatively little general aviation activity in the Republic of Korea so the display of modern general aviation aircraft at an otherwise military and commercial avi-

ation show is a real boost for general aviation. AOPA-Japan's Issei Imahashi notes that, "These events have cemented cordial relations between our two AOPA organizations as well as providing a useful venue for us to promote general aviation within the region."

IAOPA-Europe holds executive committee meeting

At its 15 December Zurich meeting the IAOPA-Europe Executive Committee, chaired by IAOPA Senior Vice President Rudolph Gerber, welcomed Yiouli Kalafati, AOPA-Hellas President, as a new member and representative for political affairs. This role is designed to strengthen the European AOPAs to keep European Union and European Aviation Safety Agency regulations reasonable and to promote general aviation as an important means for private air transportation.

The committee also welcomed positive reports from Michael Erb, AOPA Germany Managing Director, about the European Commission's decision to urge Eurocontrol to undertake frequency allocation research before vertically extending 8.33 kHz below FL 195. This new report has to take into account that almost 40 percent of the allocated frequencies in Europe are not used or not used regularly.

Martin Robinson, AOPA-U.K. Chief Executive, provided information regarding the ECAC safety report expected by the end of 2007. This report will also be used by the European General Aviation Safety Team (EGAST) that held its first core

team meeting on November 29. As Senior Vice President Ruedi Gerber reported goals and targeted methods to improve safety without new regulation were defined. But EGAST risks suffering from the same inefficiency that may be observed in many EASA working groups. Jo Conrad, AOPA-Germany, reported from EASA's slowly progressing working groups on operations, maintenance and licensing for the new category of light aircraft.

A major effort was launched to increase membership in the European Region with a new newsletter and enhanced Internet content for all AOPA members within Europe's 34 affiliate; Jacob Pedersen, AOPA-Denmark, presented new material available on the Web site (iaopa-eur.org).

In an effort to work closer with the pilot population an IAOPA-Europe member working group will be established with representatives from different countries and other groups like the PPL-IR (private pilot-instrument rating) group. Semi-annual IAOPA European Regional Meetings will be restructured and freed from too much technical information, which will be provided in written reports created in advance of the meetings. The revised regional meetings will focus on membership issues and open more discussions among the delegates regarding national issues that need IAOPA European assistance to help with regulatory affairs.

AOPA-U.K. fights to retain IMC rating

More than 18,000 instrument meteorological conditions (IMC) ratings have been issued in the U.K. over the life of the rating. This rating permits a pilot to operate in IMC in uncontrolled airspace, including departure and approach phases of flight. This rating is an important feature of British aviation because the JAR FCL instrument rating is so difficult and expensive to obtain and maintain. And, the full range of privileges granted with the instrument rating are not always required by the private pilot or commercial pilot working as a primary flight instructor.

The IMC rating may become history as EASA gains the regulatory authority to grant flight crewmember certificates. Since this rating is not recognized as an ICAO license EASA does not wish to continue its issuance.

AOPA-U.K. believes that this would be a mistake since the IMC rating has extended the capabilities of the private pilot and doubtless saved the lives of many pilots trapped in the VFR to IMC flight regime. AOPA-U.K. Managing Director Martin Robinson has made this view known to EASA, asking that the rating be retained and expanded throughout the European community. Additionally Tim Kirkhope, member of the European Parliament and private pilot, has made similar desires known to the European Commission Transport Minister.

Poland's prime minister supports small airports

Poland elected Donald Tusk as its new prime minister in October. President of AOPA-Poland Blazej Krupa reports that Tusk is an ardent supporter of small airports, noting that,

"Pilots in Poland could not get better support than this." The following is an excerpt from a statement Tusk made in the Polish Parliament on 24 November:

"There were many questions asked about airports and airfields, also about military airfields. One of these questions was whether we were going to transfer those airfields to civil aviation. Our coalition believes—and it is confirmed by the growth of civil and general aviation in Europe—that small, local airports are the future that will make it easier for Poles to travel domestically and abroad.

"MP [member of Parliament] Karski raises the slogan 'an airfield in every commune [community]'. I would not go as far as this, though if you presented a project of such an enterprise in writing, I would gladly familiarize myself with it. No, we do not intend to build airports (airfields) in every commune. In concert with the armed forces, we want to speed up the process of transferring at least some of the (military) airfields to the disposal of civil aviation.

"I would also like to assure you that I have personally gotten to know this sector (of aviation) and I will personally defend locations that are used today by civil, mostly by general aviation and are under threat, because they are very often attractive for property developers. I understand very well that airfields located near medium and large sized cities are the future. Even if there are some people who want to catch hold of them, I will personally ensure that this network is not ruined."



Donald Tusk

Membership

Member feedback and action

It is difficult to obtain substantive information from members. Yes, they are quick to tell us if they didn't receive their newsletter or were not properly credited with the membership renewal dues, but what are they thinking, what do they need? Some vocal and articulate members perform this function well but most take on the role of "silent majority," seldom voicing their needs and concerns until a crisis presents itself. So, most organizations find ways to reach out to their members to find out their likes and dislikes, desires and aspirations and involvement and participation in what most concerns them.

Written surveys, listening sessions, and local meetings and Internet forums are popular means of reaching out to the membership. However, each of these lack continuity and have an impersonal quality to them. A closer, continuing link to the membership is certainly desirable, but how to accomplish this?

Some associations establish member advisory groups to fulfill this function. The groups may consist of 6 to 8 members, all chosen from different segments of their constituent's interests. For instance, an AOPA may establish such a group

and select members based on geographic location, aircraft type operated or exhibited high levels of interest in particular topics. The group is given a mandate to regularly communicate with one another and to the association leadership through one or two of its members. Specific topics of continuing interests are assigned for feedback and the group is gathered together with association once or twice per year.

These groups are not the same as a board of directors, rather they become an extension of the eyes and ears of association staff in carrying out the work of influencing issues and communicating with members. When taken to its highest level, these groups can extend the associations ability to communicate with its members and cover meetings critical to its existence. While some controls are required to prevent the formation of another association or group “with a mind of its own,” these advisory groups can easily extend the effectiveness of the organization.

Safety Corner

AOPA Air Safety Foundation produces fuel awareness pilot safety announcements



The AOPA Air Safety Foundation is taking a humorous and edgy approach to help educate pilots about fuel management by producing Pilot Safety Announcements (PSAs) that can be viewed by all pilots online. “Flying is as safe as you choose to make it and fuel management accidents should be among the

simplest to remedy,” said Bruce Landsberg, executive director of the AOPA Air Safety Foundation. “But nearly three accidents happen each week because of fuel exhaustion or starvation. It’s not a record we should be proud of.”

One of the PSA videos asks the question: What if the airlines handled fuel management the way some general aviation pilots do? The PSA shows an airline flight preparing to depart to Hawaii and the captain advising passengers that they might have enough fuel for the entire flight. You’ll have to go to the ASF Web site (www.asf.org/psa) to see how it comes out.

The AOPA Air Safety Foundation is focusing on the issue because of the relatively high frequency of accidents that should be totally preventable.



Register now for IAOPA World Assembly discount

Registration for the 24th IAOPA World Assembly to be held 9-14 June 2008 in Athens, Greece, is now available. If delegates and observers register prior to 15 January 2008 they will be eligible for a 15 percent discount for the world assembly registration fee. Besides saving €100 each you will greatly assist AOPA-Hellas in determining the numbers of attendees so that logistic and financial arrangements can be made as early as possible.

Assembly registration packets containing delegate, observer and accompanying persons registration and hotel reservation forms have been mailed to all affiliates. However, you may also register and reserve hotel accommodations online (www.aopa.gr/en) by clicking on the appropriate registration bar at the top of the page. This site also contains detailed program information. For more information, e-mail (secretaryWA2008@aopa.gr).

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