



FAI
Critical Regulations Position
— with supporting rationale —
5 June 2014





The purpose of this document is to provide a tool for the use of FAI in contacts (meetings/discussions) with authorities and organizations in regulation matters, as FAI needs to increase its influence in order to stop or reduce the negative effects of the flow of new and stricter regulations affecting air sports activities.

Our objective is to ensure a coherent and structured influencing of regulatory decision-makers at various levels, from ICAO, through the regional and national authorities, down to representatives of local communities, airfields and air sports facilities. This document is intended for the use by the FAI President and Executive Board, Air Sports Commissions, Regional Vice Presidents and Vice Presidents, National Air Sports Control organizations (NACs), the various FAI Head Office functions and others as applicable.

FAI Critical Regulations Position

The FAI Regulation Expert Group (REG) is tasked with identifying areas of our air sports and recreational flying where too strict and bureaucratic regulations have a negative impact on our activities, resulting in reduced volume and lack of innovation and development. For each such area, an FAI position has been developed, outlined in bold/italic text. Supporting rationale is included.

This issue of the document, issue FD (12) (22MAR2014) covers six such areas. Others may be added in subsequent issues.

1. THE INCREASE IN USER FEES AND/OR THE INCREASED APPLICATION OF USER FEES

Air sports and recreational flying are very sensitive to user fees, both their size and their application. During the last 5-10 years, significant increases in the application of fees and the fees themselves have given negative effects on air sports and recreational flying, resulting in a decrease of activities in most disciplines. FAI believes that this development to a certain extent is due to bureaucracy and overregulation.

Another reason for the increase in fees is the fact that the aviation infrastructure is subject to the rapid growth of commercial air transport, and a subsequent shortage of airspace and airfield capacity. As a consequence, many larger airports attempt to prevent air sports and recreational pilots from using the infrastructure by introducing prohibitive high fees. Plans for further increase of fees are already announced and in the pipeline for implementation. The various authorities and regulators should realize that such increases in fees are hurting the air sports community and stifling activities that are not only important for sports and recreation, but are also the source of recruitment to important commercial aviation activities, such as air transport companies, aerospace engineering, maintenance companies etc.



It is the FAI position that:

- **User fees for air sports and recreational flying should be at a minimum.**
- **Many fees should be evaluated with the objective of a substantial reduction.**
- **FAI is against any unsubstantiated increase in fees, as well as introduction of new fees affecting air sports activities and recreational flying.**

2. THE BROAD INTRODUCTION OF UNMANNED AIRCRAFT SYSTEMS (UAS)

It is the opinion of FAI that introduction of UAS (earlier called UAV, and also named Remotely Piloted Aircraft Systems - RPAS) can negatively affect air sports activities and recreational flying, especially in airspace where traffic separation is based on the principle of "see and avoid", and where the responsibility of traffic avoidance rests with the pilot/air sports person.

It is the FAI position that:

The responsible aviation authorities/regulators shall require equipment and/or apply restrictions to UAS in order to ensure adequate separation from air sports and recreational flying activities. This should include safeguarding those not fitted with cooperative collision avoidance equipment. FAI demands the following three crucial requirements to permit UAS operation in airspace utilized for air sports and recreational flying:

- **Safety of flight must not be impaired, and there shall be no increase in risk of mid-air collisions.**
- **Detect and avoid systems mandated/used by UAS must work with uncooperative aircraft.**
- **UAS should be required to be clearly marked (by strobes and/or beacons) in order to enable visual detectability.**

3. EQUIPMENT/RESTRICTIONS RESULTING FROM NEXTGEN/SINGLE EUROPEAN SKIES (SES) IMPLEMENTATION

The FAI is closely monitoring the NextGen/SES implementation in order to ensure that the air sports and recreational flying will not suffer through increased cost or restrictions as a result of these programs.

The FAI urges the authorities/regulators controlling/managing the NextGen/SES programs to ensure that the interests of air sports activities and recreational flying are taken into account in all areas where such activities are affected.



It is the FAI position that:

The planned improvements in safety, capacity and cost-effectiveness of the NextGen/SES programs should be achieved without adding significant cost and restrictions to air sports activities and recreational flying.

4. UNJUSTIFIABLE AIRSPACE RESTRICTIONS FOR AIR SPORTS AND RECREATIONAL FLYING

There is a strong tendency by authorities/regulators of implementing restrictions to airspace; thereby limiting air sports activities and recreational flying. For the FAI, available airspace is a critical resource, which we will make every effort to conserve. Unfortunately, there are numerous examples where restrictions have been implemented that later have been proven unnecessary. A common occurrence is the unnecessary restricting of airspace to commercial and military activities; thereby preventing air sports activities and recreational flying for no valid reason.

With a priority objective of securing adequate access to the airspace, FAI will make every effort to influence international organizations (mainly ICAO), and support NACs and regional organizations, so that air sports and recreational flying can be conducted under the greatest possible freedom and in balanced interaction with other aviation activities.

It is the FAI position that:

The regulators/authorities responsible for airspace management should observe the following:

- **Continued access to currently available airspace should be a clearly stated, high priority objective.**
- **All actions to restrict access to airspace for air sports activities and recreational flying should be subject to a formal procedure involving relevant stakeholders, ensuring that only absolutely necessary (validated) restrictions are implemented.**
- **Structured programs should be established with the objective of improving/ regaining access to airspace unnecessarily blocked for air transport and military activities.**
- **Greater flexibility and predictability in the availability of airspace should be a stated, high priority objective, ensuring improved airspace access for air sports activities and recreational flying.**

5. UNCRITICAL APPLICATION OF ENVIRONMENTAL RESTRICTIONS

Air sports activities and recreational flying are minuscule contributors of pollution to the environment, be it by emission of harmful gases or through noise.



It is also evident that air sports activities give incentives to «zero emissions» flying (hang and paragliding) and to useful research with great potential for significant positive environmental effects, e.g. through man- and solar powered aircraft.

There are great advances made in the use of battery-powered aircraft utilized for air sports and recreational flying, and the noise pollution of the various aircraft (GA, micro lights etc.) is at a steady and rapid decrease.

In spite of the rationale above, there is a tendency for authorities/regulators to uncritically apply restrictions and/or environmentally based charges to air sports activities and recreational flying.

It is the FAI position that:

- **The negative impact on the environment resulting from air sports and recreational flying has proven to be minuscule, and even decreasing at a rate surpassing most other activities, due to the long term high rate of innovation manifested by its community.**
- **Any restrictions or charges should reflect this fact, and therefore authorities/ regulators should evaluate the relevance or even counter productivity of such restrictions/charges, and refrain from introducing any new.**

6. INCREASED REQUIREMENTS FOR FORMAL LICENSING/CERTIFICATION APPLYING TO AIR SPORTS ACTIVITIES AND RECREATIONAL FLYING (SUCH AS MEDICAL, CHECKING, TRAINING, EXPERIENCE, CERTIFICATION OF FACILITIES/AIRCRAFT ETC.)

The FAI has observed an increasing tendency by regulators to introduce additional formal licensing requirements for air sports persons and recreational pilots, or to increase requirements and/or frequencies of present license or checking activities, often accompanied by significant cost increases and additional time burdens to comply.

It is the FAI position that:

Formal licensing/certification requirements for persons involved in air sports and recreational flying should be kept to minimum, mainly considering safety and effective airspace utilization.

Where licensing systems have been/are implemented, the requirements to training, medical fitness and experience should be at an acceptable level («simple and affordable»), not burdening such activities with unnecessary requirements resulting in increased cost and bureaucracy.

The practice of increasing formal requirements is not only applicable to the persons practicing air sports and recreational flying, but is even extended to sports/recreational aircraft certification, as well as to the maintenance programs and facilities for such aircraft.



It is the FAI position that:

- **There is a need to simplify certification requirements for air sports and recreational aircraft, and FAI urges the aviation authorities/regulators to accept that air sports and recreational flying need special treatment and specific rules in order to reduce cost and facilitate future growth.**
- **This should also apply to certification of maintenance programs or facilities serving air sports and recreational flying.**
- **Periodical cost/benefit valuations of the total regulatory burden – cost and timewise – should be carried out in collaboration with representatives from the air sports and recreational flying sector.**

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