



FAI REGULATION EXPERT GROUP (REG) PROGRESS REPORT TO THE FAI EXECUTIVE BOARD

(includes suggested work programme for 2014)

30 December 2013

Members of REG as of December 2013:

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General comments

The Regulation Expert Group (REG) continued its work with moderate activity, in the form of exchange of e-mails concerning the various tasks, as well as two meetings using the GoToMeeting (GTM) electronic format. Results are considered adequate for the amount of work and effort invested.

The REG work was presented at the FAI General Conference in Kuala Lumpur in October 2013, and the reception was positive, encouraging further work along the lines we proceed.

The present main effort of the REG is establishing a policy document for the use of FAI in the various contacts with regulators. This is considered an important task, and will be a first in the history of our organization.

The experience from the REG this year sends three important messages to the FAI (and hence the EB):

- Scheduled electronic meetings (as practiced with total 4 GTM meetings) is a cost-effective way of elevating the discussions to a level above the exchange of e-mails and documents. It is our intention to schedule regular electronic meetings, as the e-mail exchanges have a tendency to involve only a few persons, and to «fade out», unless someone is actively pursuing and managing the discussion process.
- A change of Point of Contact for REG is still pending, and it is suggested that the present arrangement be kept until the completion of the first REG policy paper during spring 2014. However, candidates for the PoC position should be solicited and preparation for nomination and appointment should be made during the next 2 - 3 months
- The established policy should be handled as a “standalone” document, as we feel that including it in the formal FAI Statutes & Bylaws would take away focus and “drown” the policies in fairly massive documents mainly intended for internal use.
- Distribution of the policy in paper form is not considered necessary nor effective. The final policy document should have a prominent place in FAI website, and being highlighted through bulletins, teasers, press releases etc.

FAI Critical Regulations Positions Document

General comments

- This is now a solid and useful document, urgently needed to support the air sports community in contacts with various regulators and authorities.
- The present layout (with policy & rationale) is accepted as adequate, but can be improved. Final feedback/suggestions as to the layout will be solicited from REG members in connection with distribution of first final draft version, which will take place during January 2014.
- The suggested “checklist” to apply when new/additional regulation is proposed was discussed, and may well be included in the work programme for 2014. (The first draft of the checklist appears on the 2013 REG report to the KL GC, page 5)
- Below find a number of REG member important comments highlighted. These are individual views, and does not necessarily reflect the consensus of the group. However, they are seen as expressions of opinions which are rather common among our FAI stake holders, due to the behavior of certain regulators (organizations or individuals).
 - Specified processes to ensure relevance of regulations are often ignored by regulators; required calculations regarding cost/benefit are often not performed, or completed erroneously
 - FAA & EASA behaves rather arrogant at times. (EASA=ignores things they do not like, FAA uses the favorite sentence: “FAA does not concur”)
 - Low or no understanding for aviation by senior management at regulators. Employees with experience in flying and/or air sports would be an advantage, as the understanding of the real-life problems caused by complicated regulations seems to be hard to comprehend for people with no practical experience.
 - We need to ensure that our messages concerning the critical regulations areas are delivered to persons with influence, and that systems constructed to assess necessity and cost of regulations are implemented, e.g. the RRIA (Real Rule Impact Assessment).
 - The recent example of suggesting introduction of a pilot body weight index monitoring, where 40+ will initiate a special medical exemption process, was cited as a good example of how things should not be done. No proof/statistics accompanying the suggested regulation change was provided, and the change would also result in the need for a weighing and establishing weight records of ALL pilots in air sports and recreational flying.

Examining the initial FAI Critical Regulations Positions Document content

The following areas (1-5) are covered by our initial policy document:

- The increase in user fees and/or the increased application of user fees
- The broad introduction of UAS (imposing uncritical limitations on other activities)
 - It should be noted that the term UAV has been changed to the more universal term of UAS
- Equipment requirement resulting from NextGen/SES implementation
- Uncritical application of environmental restrictions/charges
- Increased requirements for formal licensing/certification applying to air sports activities and recreational flying. (medical, checking, training, experience, certification of facilities/aircraft etc.)

The REG examined these five areas, which will be covered in the first issue of the FAI Critical Regulations Positions Document, and arrived at the following conclusions:

- All 5 areas should be kept. However, the REG discussed a number of items that could be improved; examples as follow:
 - NextGen/SES should remain on the list, but the REG group should try to get more information and expertise in this area. Present members still feel that this is a potential critical area where a lot of things are about to happen which may negatively affect air sports and recreational flying. (We must keep monitoring this, and be ready to act, as some “creeping of rules” are starting to show on the horizon, also spurred by the ever more rapid introductions of drones/UASs).
 - UAS manufacturers claim that this sector is “not growing as fast as people think”. However, several REG expert do not believe this is the case, and that there is strong commercial interests making every effort to portray the image of lower growth than what actually is taking place. The recent initiative of Internet Shops planning delivery by UAS may not be as innocent as it seems.
 - Many UAS manufacturers are lobbying for “sense equipment” in ALL aircraft, forcing installation in most of the aircraft used by our members, be it for air sports or recreational flying.
 - FAI may seek “partners” in unlikely quarters to ensure restrictions of UASs/drones, such as organizations working to keep restrictions for invading privacy, e.g. by drones recording pictures/movies.

Suggestions for work programme for 2014 (tasks)

- The REG desires to keep the work concentrated to the production of the first formal issue of the FAI Critical Regulations Position Document, with the objective of issuing a first formal document ultimo March 2014. The members emphasized the need for this document, and the necessity to focus on producing a high quality document/tool as soon as practicable.
- A subsequent of 2 - 3 critical regulation areas should be identified, evaluated and documented as policy. (The “new regulation checklist” may be added to these) This document should exist in draft form by August 30, 2014, facilitating a full presentation of policies and rationale for 7 - 8 regulation areas at the 2014 FAI General Conference in Bangkok.

***** FAI/OL/REG PROG REP 2013 - 04 JAN 2014*****