

General Aviation Alliance Strategic Review of CAA

Points for consideration, some of which are additional to the submission made to the Transcom Inquiry in January 2006 by the General Aviation Alliance (GAA), following the "dialogue" events held by Sir Joseph Pilling. As clearly shown at the Dialogue No. 4 event on 6th March there is a strongly felt need from all represented aviation sectors for substantive change of the way the CAA, as NAA, regulates and is run.

The main principles can be summarized as:

1. The CAA (or its National Aviation Authority successor (NAA)) tasks and objectives should be restructured so that it provides a proportionate safety oversight to aviation, both commercial (CAT) and general aviation (GA).
2. The safeguarding of passengers financial interest aspects of CAT should be supervised by either the Competition Commission or equivalent body.
3. GA should be delegated to supervisory bodies that are currently acting in that role or could be so acting (eg BGA and LAA). There would need to be an agreed dividing line as to size of aircraft to which this applies; currently 5730Kgs weight limits are used for other divisions and should be appropriate in this case.
4. CAT and GA would, via a high level "Forum" reporting directly to the Minister, deal with advice requests from, and formulate advice to, the Government as to policy matters including, for example, maintaining a national airfields network accessible to GA, promotion of the industry, and those who work within it for the benefit of UK plc, ensuring good relationships with the EC and EASA on aviation matters.
5. The NAA would continue to act as a regional office for EASA but the implementation of EASA regulations would be dealt with by the deregulated GA organizations. The NAA would have a minimum oversight role.
6. The part of the NAA that has the oversight of GA would require a much reduced operating size and cost compared to the current high cost base within the CAA.
7. The issue of liability for NAA actions would need to be addressed such that the deregulated supervisory bodies (as referred to in 3 above) can be included within liability insurance provisions without cost penalty.

There are additional points we suggest are dealt with in the review of the CAA workings and incorporated into the new NAA as identified in **Appendix 1** attached.

Paul R Draper
For PPL/IR Europe and GAA 12th March 2008

Members of The General Aviation Alliance include:

British Gliding Association (BGA)
British Hang Gliding and Para Gliding Association (BHPA)
British Microlight Aircraft Association (BMAA)
British Parachute Association (BPA)
General Aviation Safety Council (GASCo)
Helicopter Club of Great Britain (HCGB)
Light Aircraft Association (LAA)
European Association of Instrument Rated Private Pilots (PPL/IR Europe)
Royal Aero Club of the United Kingdom (RAeC)

Appendix 1

1. **DFT** Currently there is a General Aviation Strategic Forum (GASF) which comprises representatives from the CAA, DFT and the GA industry initially to discuss matters arising out of the CAA Strategic and Regulatory Reviews of 2006. However, it is suggested this needs to operate at the appropriate level and the DfT should re-establish it as a small, high level, panel of General Aviation (GA) industry representatives to assist its Aviation Minister and senior civil servants in better understanding the industry and its disparate parts and help formulate proposals from / to the Government affecting the sector; the NAA would be a member. It should meet on a regular basis (perhaps quarterly) and, in particular, address:
 - Promotion of the small aircraft manufacturing/parts industry in the UK to ensure a healthy GA sector to enable greater economic activity for UK plc
 - Promotion of University and College entrants to the industry including progression of pilot students for the airlines and engineers
 - Protection of the existing GA airfields network in the UK
 - Promotion of advances in technology to aid more environmentally acceptable engine and fuels useage and better use of airspace and airfields
 - Progression of the Single Sky for Europe concept towards a level playing field approach throughout all Member States
 - Promotion of GA's use of UK regional airports for business and pleasure use without unfair pricing or other restrictions
 - Improvements in liaison and understanding of GA's position within the EC and EASA
 - Promotion of the removal of the Government's requirement for the CAA to levy in its charges a 6% return on capital (a tax on safety) a rate considered excessive compared to other Government departments and is not on a "level playing field" with other nations
 - Consideration of environmental issues related to GA operations
 - Any other matters considered appropriate.

2. **NAA** (as successor to the CAA)

It should be noted that in our opinion the CAA has, since carrying out its own Strategic and Regulatory review processes in 2005/06 following the decision to hold the Transcom Inquiry, consulted with GA on a better basis although formal benefits arising are yet to be experienced.

The NAA should:

- Appoint a non-executive (part time) board member with specific responsibilities for GA; this would be as per current non-executive members
- Establish GA as per the main principles on page 1 above
- Have removed from it the current duties related to commercial air transport passengers that could be overseen by eg. the competition commission; the NAA to retain responsibility for safety aspects
- Devolve much more self regulation/governance by appropriately organized GA sectors (as exist for eg gliding, amateur constructed aircraft, microlights etc) and investigate which other sectors might become self regulated eg all aircraft below 5700 Kgs. The NAA would then oversee the sectors as to safety
- Establish, in conjunction with the DfT, an appeals procedure whereby an alternate dispute resolution system/arbitrator is established (rather than the need for Judicial Review procedures)

- Ensure regulation is proportionate to risk
- Ensure new regulation proposals are fully researched and discussed with industry before formal consultation procedures are commenced
- Employ personnel with relevant industry experience
- Establish good working relationships with EASA to ensure GA in the UK is better understood and proposed regulations are sound and apply uniformly throughout the EC
- Ensure EASA regulations are not added to when applied to UK aircraft and airspace
- Minimize expansion of controlled airspace and ensure the existing areas are efficient
- Separately cost/charge tasks specifically related to
 1. its giving of advice to the Government, the European Commission, EASA and other bodies and which should be charged to them
 2. its role as a sub-office of EASA and ensure CAA costs are not added to those of EASA charged to aircraft owners
- Ensure all accounting processes are transparent and implement “value for money” audits by external professionals
- Ensure the charges levied on GA are not biased compared to those levied on the airlines (who do not pay tax out of taxed income and are exempt from fuel duty and VAT on ticket sales); “the beneficiary should pay” principle
- Ensure that in all its dealings it retains transparency, proportionality and accountability
- Ensure a continuing audit of response time, result and proportionate approach to requests from all GA by an independent body
- Ensure proper safety management system (SMS) principles are applied in all assessments based on sound statistical information of sectors affected.