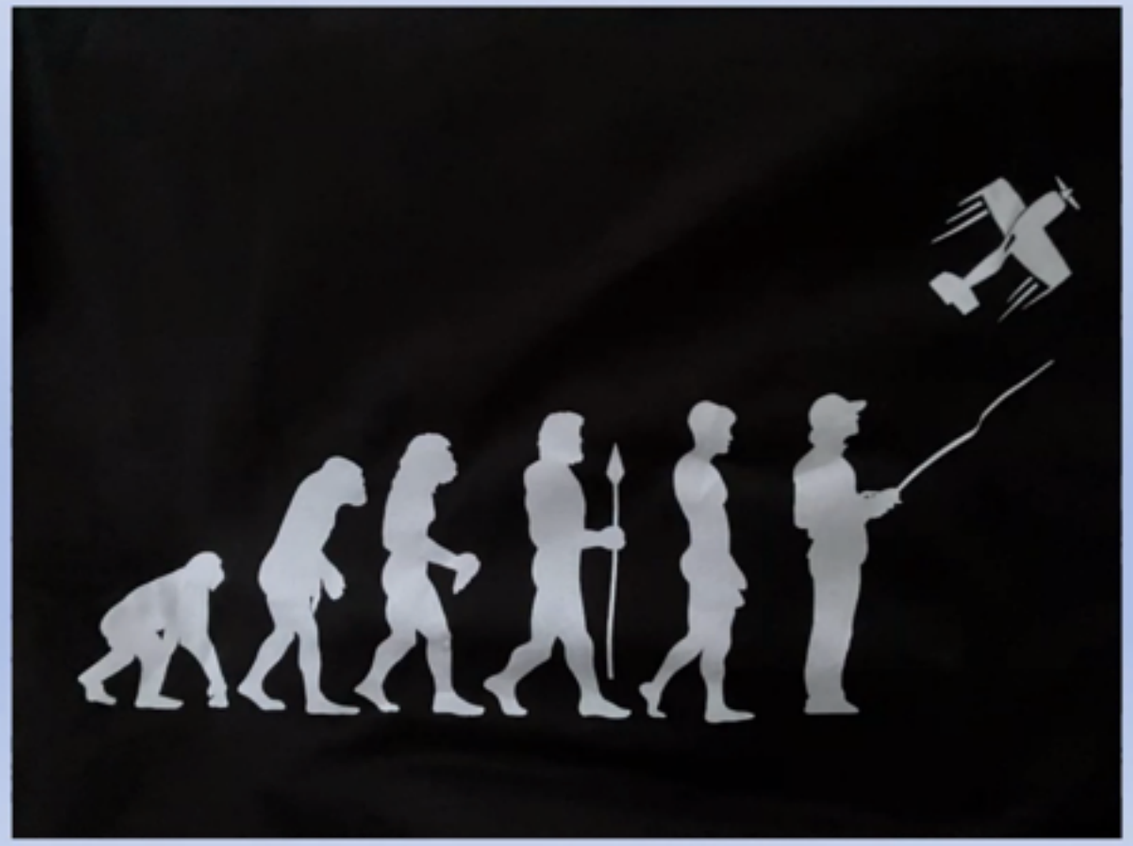
EMFU

EUROPEAN MODEL FLYING UNION

Representing Model Flyers in Europe

EMFU 10.General Assembly – Session 8

Challenges Ahead for Model Flying



Challenges Ahead

- Remote I.D. & Electronic Conspicuity
- Occurrence Reporting
- Environmental & Planning challenges – Impact of EC Habitats Directive and implementation of Natura2000/biodiversity rules in Member States
- Problems arising from regulations and their interpretation within individual Member States
- Retaining participation and encouraging younger flyers

Remote I.D & Electronic Conspicuity

- Remote I.D. – Driven by security concerns over drones
- Electronic Conspicuity – driven by drive for integration of BVLOS drones
- U-Space – Model flying under Article 16 ‘exempted’ in EU regs, but not really
- Impact of requirements may vary widely at Member State level
- Potential for exemptions when operating under Article 16

Occurrence Reporting

- Not a new requirement. Regulations have existed for at least 15 years.
- The applicable regulations are:

  a. EU Regulation 996/2010 on the investigation and prevention of accidents and incidents in civil aviation.

  b. EU Regulation 376/2014 on the reporting, analysis and follow-up of occurrences in civil aviation. Note: this regulation was amended by UK (EU) Regulation 2018/1139 on common rules in the field of civil aviation (The Basic Regulation).

  c. EU Implementing Regulation 2015/1018 laying down a list of classifying occurrences in civil aviation to be mandatorily reported.

  d. EU Regulation 2018/1139 – The Basic Regulation

  Jürgen will cover in more detail

Occurrence Reporting

- An OCCURRENCE is any safety-related event which endangers or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person. ACCIDENTS and SERIOUS INCIDENTS are classifications of OCCURRENCE.

- Regulations suggest onerous reporting requirements but also provide the possibility for some flexibility. For example, EU Regulation 376/2014 includes:

(10) The hazards and risk associated with complex motor-powered aircraft are very different from those associated with other types of aircraft. Therefore, while the entire aviation sector should be covered by this Regulation, the obligations imposed by it should be proportionate to the sphere of activity and the complexity of different types of aircraft.

Accordingly, information collected on occurrences involving aircraft other than complex motor powered ones should be subject to simplified reporting obligations which are better suited to that branch of aviation.

Occurrence Reporting

- EU Regulation 2018/1139 also provides some flexibility:

2.2. . Organisations

Organisations involved in unmanned aircraft design, production, maintenance, operations, related services and training shall meet the following conditions:

(a) the organisation must have all the means necessary for the scope of its work and ensure compliance with the essential requirements and the delegated act referred to in Article 58 and the implementing acts referred to in Article 57, relevant for its activity;

(b) the organisation must implement and maintain a management system to ensure compliance with the relevant essential requirements, manage safety risks and aim for continuous improvement of this system. Such management system must be proportionate to the organisation's type of activity and size;

(c) the organisation must establish an occurrence reporting system, as part of the safety management system, in order to contribute to the continuous improvement of safety. Such reporting system must be proportionate to the organisation's type of activity and size;

(d) the organisation must establish arrangements, where relevant, with other organisations to ensure continuing compliance with the relevant essential requirements.

Occurrence Reporting – UK Experience

- In the UK, we successfully argued that the established reporting systems were ‘unfriendly’ and not relevant or proportionate to our members activity.

- We developed our own online system which was more relevant and proportionate to our risk. This was developed in liaison with the Air Accident Investigation Branch (AAIB) who were very supportive of the idea. See https://rcc.bmfa.club/art16-occurrence-reporting for our guidance.

- The online system asks some initial questions to establish the nature of the occurrence and what should be done next.

- Only around 10% of occurrences logged on our system require escalation to the AAIB or CAA and this notification process is automated.

- You can give the BMFA system a try (on a non-live copy) here: https://reporting.bmfa.uk/a16-report-736

Occurrence Reporting – UK Experience
What do we report:

Reporting to the UK AAIB & CAA

- ACCIDENTS - in which:
- a person is fatally or seriously injured;
- the aircraft sustains damage or structural failure in operation which results (or may result) in endangering;
- the aircraft goes missing or becomes completely inaccessible in manner which could result in endangering;

- SERIOUS INCIDENTS – defined as an occurrence where there was a high probability of an ACCIDENT associated with the operation of the aircraft.

- OCCURRENCES involving manned aircraft

- SERIOUS INCIDENTS or other OCCURRENCES which involve breaching the terms of our Article 16 Authorisation, operating above 120m or less than 50m from uninvolved people.

Occurrence Reporting – UK Experience

AAIB Air Accidents Investigation Branch

Unmanned Air Systems Model Aircraft

- Stats from 2021 to 2024 (inclusive)
  - Total of 162 reported occurrences
  - 62 requiring Branch Action
    - 2 Investigation reports
      - Brain Taylor AT6 Apr 2021
      - F4 Phantom Sept 2021
    - 60 Record Only
  - 98 No further Branch action
  - 2 Refer to the UK Airprox Board

	2021	2022	2023	2024	Total
Branch Action	13	17	24	8	62
No Further Branch Action	34	30	22	12	98
Inform UK Airprox Board	0	0	2	0	2
Total	47	47	48	20	162

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- Our experience in the UK has been positive and the 2 investigations were useful
- The AAIB often refer to what we've done as an example to others