

IBAC UPDATE

The Official Newsletter of the International Business Aviation Council

Update 03-3, August 2003

“The recognized forum for leveraging strengths of Members to enhance the safety, acceptance and economic contribution of business aviation globally.”

ICAO President speaks out on IS-BAO

Dr. Assad Kotaite (right), President of the Council of the International Civil Aviation Organization (ICAO), has written to IBAC expressing his positive impression of the International Standard for Business Aircraft Operations (IS-BAO). In thanking IBAC for its contribution to achieving worldwide harmonization of aviation safety rules, Dr. Kotaite stated that *“the code of good practice will accomplish a great deal in further improving the impressive safety record of business aviation”*.

IBAC and Member Associations are actively encouraging flight departments to consider implementing the standard. Widespread use will help to institutionalize best practices. A number of companies have now received their Certificate of Registration following successful completion of an independent audit by an industry auditor accredited by IBAC.



See Dr. Kotaite's letter on page 3.

Change at the top at NBAA

Shelley Longmuir (right) has taken over as President and CEO of the National Business Aviation Association (NBAA). In announcing the appointment, NBAA Chairman George Saling stated that *“with the challenges facing business aviation today, it is especially important*

that NBAA continue to be a powerful advocate for our members and the entire business aviation community”. Longmuir has more than a decade of experience in domestic and interna-



tional aviation, most recently at United Airlines, where she was senior vice president of international/regulatory and government affairs.

The NBAA is the largest of IBAC's Member Associations and contributes extensively to IBAC committees and

representation on ICAO panels, committees and work groups.

Past President **Jack Olcott** (left) returns to the company he founded in years past—General Aero Inc in Morristown New Jersey.



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Special points of interest:

The business aviation industry responds to the problems introduced in international fractional ownership operations due to rules that are not harmonized.

What's New at ICAO

- Mr. Simon Clegg succeeds Dr. Jonathon Aleck as the Representative of Australia on the Council.
- Dr. Taieb Cherif departs his post as the Representative of Algeria on the Council to become ICAO Secretary General, successor to be named.
- Mr. Léon Vonlanthen succeeds Mr. Leon Vangrieken as the Air Navigation Commission Member nominated by the ABIS group of States (Austria, Benelux, and Switzerland).
- Air Transport Committee endorses harmonized "blue-print" for the integration of biometric identification information into passports and other machine readable travel documents ...includes facial recognition as the primary biometric for interoperable use worldwide for machine assisted identity confirmation.
- Several of the feature articles in Vol. 58 No 4 edition of the ICAO Journal focus on training, including training in aviation language proficiency. The recent introduction of more stringent requirements for pilots and air traffic controllers highlights the need for effective and efficient language training programmes delivered by qualified teaching professionals.
- International Civil Aviation Day is to be held 7th December 2003. The theme - 60th Anniversary of ICAO and its contribution to civil aviation.
- Facilitation Divisional 12th Meeting announced, to be held in Cairo 22 March - 2 April 2004.

IBAC Publishes Business Aviation Safety Brief

The IBAC Governing Board reviewed the first issue of the Business Aviation Safety Brief at its meeting in Geneva in May. The Board approved the Brief and agreed with plans to update the Brief annually. The Brief summarizes a study completed by Robert Breiling and it provides additional information that will help the industry exhibit its exemplary safety record. Information is provided on the numbers of aircraft and hours flown for the five years included in the study. Worldwide accident data is provided for business aircraft, providing data on numbers of accidents per 100,000 flying hours and for 100,000 departures. The data also shows a comparison of aircraft types and operator types. The Brief shows that the Corporate Aviation safety record is amongst the best in all aviation. The Brief is available on the website at: http://www.ibac.org/Library/ElectF/saft/safety_management.htm

“ The business aviation community is resolved to assume an active role in the evolution of the aviation system and to help in the design of the system for the 21st century.”

Business Aviation Regulations Proposed by JAA

The Joint Aviation Authorities (JAA) issued the long anticipated Advance Notice of Proposed Amendment (A-NPA) for new JAR OPS regulations applicable to corporate aviation. Interested parties were asked to comment on the notice by the end of July.

IBAC coordinated a June meeting of interested parties at Le Bourget Airport in Paris to consider the voluminous material. A total of 39 comments were developed and reviewed by IBAC Member Organizations. A submission was made to the JAA on July 18. Many IBAC Member Associations made similar submissions.

In particular the industry expressed concern with the complicated applicability structure and suggested an alternative that would make the principles of the requirements easier to understand. There was also considerable concern with the onerous 'quality' provisions. The industry suggested a more suitable Safety Management System (SMS).

The industry is pleased that the regulations use industry standards as a basis for some requirements and that a system of registration is being used rather than a certification system.

The final industry response can be found on the IBAC website at http://www.ibac.org/Library/ElectF/saft/safety_management.htm or EBAA website at <http://www.ebaa.org/>.

On-demand Charter Security is New Focus for IBAC and ICAO Aviation Security Panel

Following acceptance by the ICAO Aviation Security Panel of new proposals for general aviation security, including business aviation, the Panel recognized problems with Annex 17 standards for small aircraft on-demand charter operations, commonly called air taxis. For example, it was agreed that it did not make sense to require full passenger screening of small commercial operations such as a floatplane carrying fishermen to a remote lakeside lodge.

The EC Security Regulation also causes problems for small commercial operations, as the IBAC Governing Board identified a problem in Europe with the application of European Commission Regulation 2320. The new regulation recognizes the need for alternative security arrangements for small airports where there are few commercial operations, but it does not recognize the fact that in Europe there are a vast number of business aircraft operations from small airports, and many operators have a commercial certificate. IBAC is developing a Paper proposing common security principles for on-demand charters to facilitate worldwide harmonization.



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THE PRESIDENT OF THE COUNCIL

E 4/172

28 May 2003

Dear Mr. Spruston,

I was most grateful to have been presented recently with a copy of the International Standard for Business Aircraft Operations (IS-BAO).

The International Business Aviation Council (IBAC) and its member associations are to be congratulated for producing this excellent tool for promoting safety of business aircraft operations.

This is a valuable and practical complement to the International Civil Aviation Organization's Standards and Recommended Practices. I have no doubt that the "code of good practice" will accomplish a great deal in further improving the impressive safety record of business aviation. I also feel it will assist us in our mutual objective of achieving harmonization of the world's safety rules and regulations that much sooner.

I highly commend adherence to the IS-BAO by business aviation operators and believe that recognition of compliance with industry-developed standards by State authorities could complement their regulations, thereby assisting them in accomplishing effective regulatory oversight of business aircraft operations.

The positive initiative by the business aviation community in developing industry standards is commendable and appreciated.

Yours sincerely,

Assad Kotaite

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Fractional Ownership in international operations threatened by lack of harmonization -

State authorities worldwide are wrestling with methodologies to regulate fractional ownership aircraft entering their State from another country. The problem is caused by the many different ways in which States designate fractional operations as either commercial or non-commercial.

Fractional ownership has been growing at a phenomenal rate since first introduced in 1987. In approximately 15 years the number of aircraft in various fractional fleets has grown to well over 800 aircraft. It is arguably the fastest growing sector in all aviation.

Generally, there is no significant problem as long as fractional operations are conducted domestically. However, when operated internationally, operators could face regulators not agreeing with the designation as either commercial or non-commercial, made by the operator's State of registry. The result may be regulatory action if the operator does not follow the rules in the State in which the aircraft is operating.

The ICAO Convention and its Annexes are quite clear when it comes to operating rules. Pilots must follow the rules of the State in which he or she is flying. However, there is room to interpret the ICAO provisions in different ways when it comes to economic rules—and the designation of fractional ownership is primarily an economic rules issue. Safety of fractional ownership operations has not been an issue as the safety record is similar to corporate aviation—amongst the best in the world. The problem is further complicated by the many different designs of fractional ownership programs. The USA has completed a comprehensive committee study and determined that it is non-commercial if the ownership fits a specific definition based on a minimum of 1/16th share. Other States have long held specific legislation that may allow fractional ownership for some designs, but may not allow private operations comparable to those permitted in the US. Other States have decided in favour of a commercial designation.

The IBAC Governing Board has agreed to address the issue by seeking internationally harmonized rules.

IS-BAO Workshops Planned

A workshop for potential accredited IS-BAO auditors and other interested parties is planned for Morristown, NJ, USA on September 5. An additional workshop is tentatively planned for a location in Europe early in 2004. To date the program has 26 accredited auditors. A number of flight departments have now received a Certificate of Registration signifying success in implementing the International Standards for Business Aircraft Operations.

ICAO Airport Access Study Underway

After a considerable delay, ICAO is again working on the study of business aviation access issues. A Project Manager has been assigned and Terms of Reference developed. Final details of the work plan are being developed. A meeting of IBAC representatives with the Project Manager is planned for the NBAA Convention in Orlando. Business Aviation Associations will be asked for input.



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New Executive Director in Australia

David Bell assumed his new role as Executive Director of the Australian Business Aviation Association (ABAA) earlier this year. Chairman Michael Keenan made the announcement while stating that "this is a significant milestone in Australia as it signals to all that business aviation in Australia is clearly on the road to a healthy future".

The ABAA offices have been re-located to Sydney where business aviation can be better represented. Mr. Bell replaces long time Executive Director John South. IBAC welcomes Mr. Bell to the business aviation family and thanks John South for the years of contribution and support. See the new ABAA website at <http://www.abaa.com.au>



Successful events in Geneva and Calgary show promise for business aviation

EBACE 2003 held in Geneva May 7, 8 and 9 showed why it has become the major annual business aviation event in Europe as more OEM and business operators picked the venue for product display and information exchange. Approximately 6000 attendees - an increase of more than 24 percent over last year's total of 4,824 - and 248 exhibitors were in Geneva for the event. FAA Administrator Marion Blakey was a keynote speaker at the opening session - an excellent sign of the growing worldwide acceptance of business aviation.

tion.

Meanwhile, the **Canadian Business Aviation Association (CBAA) rode high at their Convention, Trade Show and Static Display** in Calgary during the famous Stampede in early July. Record numbers attending the show were treated to topical information sessions, including excellent exchanges on fractional ownership and security. Attendees were outfitted in cowboy garb for the wind-up dinner at the chuck wagon races and stage show.

IBAC Calendar of Upcoming Events

ICAO APANPIRG/14, Bangkok, August 4-8, 2003

IB-BAO Workshop, Morristown New Jersey, September 5, 2003

ICAO Operations Panel, Montreal, September 8-19, 2003

ICAO Air Navigation Conference, Montreal, Sept 22 - Oct 3, 2003

IS-BAO Standards Board (ISB/3), Orlando, October 6, 2003

NBAA Annual Meeting and Convention, Orlando, October 7-9, 2003

IBAC Governing Board (GB/ 38), Orlando, October 10, 2003

International Oceanic Conference, Honolulu, November 17-20, 2003

IBAC EIWG/6, London, December 1, 2003

IBAC POC/8, London, December 2-3, 2003

NBAA International Operators Conference, Anaheim, CA, March 22-25, 2004

LABACE/2, São Paulo, April 15-17, 2004

IBAC Governing Board (GB/39), following LABACE/2, April 18, 2004

EBACE/4, Geneva, May 25-27, 2004

IBAC Governing Board (GB/40), Las Vegas following NBAA/57, Oct 15, 2004