

**DIARY DATES**

**EUROPEAN AVIATION CLUB**

11 December 2017

Brussels, Belgium

Laura Pierallini, speaker

**GLOBAL AIRFINANCE CONFERENCE**

23-25 January 2018

Dublin, Ireland

**IATA LEGAL SYMPOSIUM**

27 February - 1 March 2018

Bangkok, Thailand

Laura Pierallini, speaker

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**THE NEW ENAC RULES ON AERIAL FIRE-  
FIGHTING OPERATIONS**

*By Francesco Grassetti*

With the aim to align the national regulatory framework with the new operational regime introduced at a European level by the Regulation (EU) No. 379/2014 (amending Regulation (EU) No. 965/2012 laying down technical requirements and administrative procedures related to air operations), on 17 November 2017 ENAC issued a regulation regarding the provision of fire-fighting air operations in Italy.

In particular, ENAC established the rules applicable to the release, maintenance, limitations and revocation of the firefighting air operator certificate (so called “COAN”). The COAN is a condition to engage in this type of flight operations, whose definition given by ENAC is: “*air operation devoted to fire-fighting, including flights for observation and finding of fires, spread of extinguishing and retardant products, transport of specialized personnel, flight training*”.

In order to obtain the COAN, the applicant must comply with the following requirements:

(i) place of business: the operator must have its legal seat or a stable organization (i.e. a branch, representative or agency office duly enrolled with the local Chamber of Commerce) located within the Italian territory.

(ii) management: the legal representative and the

board members must be citizens of an EU Member State and free of any criminal charge regarding professional ethics.

(iii) nationality: the operator must demonstrate that more than 50% of its share capital is owned by EU Member States, or citizens of EU Member States, and that the effective control of the business is in the hands of the owner, either directly or through one or more intermediate companies.

(iv) financial means: the operator must have a net worth (i.e. the equity value equal to the difference between the value of total assets and total liabilities) of Euro 100.000 or higher at any time, as resulting from a financial statement analysis performed by ENAC on an annual basis. This requirement does not apply to state-owned operators.

(v) aircraft: aircraft used for fire-fighting operations must be registered in Italy or in another EU Member State, be property of – or on lease to – the operator, and hold a certificate of airworthiness according to Regulation (EU) No. 748/2012 (laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances). Aircraft can be also taken on a wet-lease basis from a foreign operator, to the extent that a prior authorization is granted by ENAC if certain requirements are met, among the others: a concrete operational need for the wet-lessee; equivalent airworthiness rules between Italy and the foreign country of the wet-lessor; wet-leased

aircraft must hold a certificate of airworthiness in the standard form as per the ICAO Annex 8; compliance with flight time limitations and flight duty periods; the wet-lessee must have technical and operational capabilities to ensure a proper monitoring of the wet-leased services; the wet-lease period must not be longer than 7 months over a consecutive 12 months term. On the other side, the use of foreign registered aircraft which are owned by the operator – or taken on a dry-lease basis – is subject to a bilateral ICAO 83-bis agreement between Italy and the foreign state of registration on the delegation of regulatory oversight, functions and duties. Likewise for wet-leases, if the aircraft taken on dry-lease is registered outside the European Union, a time limitation of 7 months over a consecutive 12 months term applies.

(vi) insurance: the aircraft insurance coverages must be compliant with Regulation (EC) No. 785/2004 (on insurance requirements for air carriers and aircraft operators) and subsequent amendments.

### **ITALY LEADING THE INNOVATION: FIRST TEST FLIGHT WITH AN UNMANNED CARGO AIRCRAFT**

*By Francesco Paolo Ballirano*

On 11 October 2017 the first test flight of a cargo operation with an unmanned aircraft successfully took place at Trapani Birgi Airport, upon the conclusion of the first stage of a research program committed by ENAC to the joint venture made of U-Avitalia, Piaggio Aerospace and Bcube.

The results of the research and testing achieved under the ENAC supervision will be the starting point to prepare a specific regulation for this kind of air operations.

Furthermore, these test activities will provide the pre-conditions for the development of unmanned aircraft systems able to support logistic operations for both commercial and government use.

The flight has taken off from Trapani Birgi Airport and it was operated by a Piaggio P.1HH HammerHead aircraft under the aegis of the 37° Wing of the Italian Air Force, on the basis of a flight programme capable of identifying and testing innovative operative rules applicable to the air cargo transport with drones.

The flight operation was able to simulate scenarios related to logistic and cargo transport in automatic mode, supporting standard, emergency and civil protection interventions. In this respect, a simulation was performed with assisted take-off and landing (ATOL) to/from a remote location and

the release/delivery of a cargo made of essential goods (food, medicines etc.) in a given point, also without the air traffic control (ATC) assistance.

The said experiment is unique within the European aviation landscape in relation to these types of unmanned aircraft systems, and from a technological perspective it gets Italy in a state-of-the-art position compared to the other EU Member States and other foreign countries.

### **2017 – TURNING POINT OF THE ITALIAN SPACE ECONOMY**

*By Marco Marchegiani*

The space represents one of the most evolving sector within the Italian economy. Over the past fifty years Italy has been among the leading countries involved in the aerospace industry worldwide, and this role is confirmed by the report recently published by the Italian Space Agency (ASI) regarding the numbers of the national industry: the local market is currently worth Euro 1,6 billion and employs 6000 workers in few big companies, such as Thales Alenia Space, Telespazio (both being a joint venture between the French multinational company Thales and the Italian manufacturer Leonardo) and Avio, a producer of space propulsion systems that guarantees access to space with the European Vega and Ariane launchers. Avio was also recently listed at the Milan stock exchange. Furthermore, space activities are among those with the largest return in terms of investment, around Euro 5 per each Euro invested, which increases up to Euro 10 if the investment concerns telecommunications services utilizing satellite devices.

According to the President of ASI, investments around 1.1 billion have been planned for the space economy over the next few years, at both national and regional level.

Space is cross-sectoral by its own nature and characterized by a high rate of innovation. Since 1988, ASI is committed to plan and support projects concerning the space exploration, the earth observation and the future possibility of a life in the outer space. ASI is also committed to promote and coordinate the research and technological development, with a main focus on the exploitation of satellite communication systems to serve the air and maritime navigation needs in terms of safety, logistics and routing.

Italy has well understood that space will be even more present in all aspects of people's daily life in the future, and so it is in the front row to grab this opportunity.