



KEEPING THINGS SIMPLE

BRAZIL ANNOUNCES PROGRAM TO MODERNISE GENERAL AVIATION AND ATTRACT INVESTMENT

The Brazilian Government has recently announced an ambitious plan aiming “to create modern rules to simplify, de-bureaucratize and attract investments to Brazil’s general aviation market”. ‘The Simple Flight Program’ was presented with pomp and circumstance by high-rank federal authorities in Brasília, who called the initiative the “most extensive deregulation program in aviation since the 1990’s”.

The Simple Flight Program is a joint effort of Brazil's Infrastructure Ministry and the National Agency for Civil Aviation ("ANAC"), who identified 52 actions to be taken in the short term. The plan is not only to improve the regulatory environment in Brazil, but also to encourage new investment in Brazilian regional aviation, especially in view of the economic recession and multi-million dollar losses suffered by operators as a result of the C-19 pandemic.

The proposed measures are listed in ANAC's Ordinance no. 2,626/2020. It includes some complex issues that require legislative changes through the Brazilian Congress, such as the simplification of the rules for registering aircraft with the Brazilian Aircraft Registry and the

commercialisation of private-use airports, as well as less complicated regulatory amendments with immediate effect, such as the use of digital documents in the aircraft registration and other ANAC procedures..

Some of the proposed changes suggest that the Brazilian Government intends to loosen rules related to pilot training, taking measures to extend the expiration period of their licenses, encouraging the use of simulators and increasing the number of venues for application of pilot tests. In this respect, the plan has been received with caution by local safety specialists, who worry that less strict rules related to licensing of pilots or aircraft maintenance, together with

ANAC's limited capacity to supervise, may weaken the Brazilian safety benchmarks and contribute to a spike in the number of accidents in the near future.

ANAC and other regulatory bodies are expected to enact regulations putting into effect part of the proposed plan within the next 30 days (i.e. before December 2020).

We set out below a summary of the 52 measures proposed for the first stage (dubbed 'stage one' by ANAC) of the Simple Flight Program, indicating ANAC's expected timeframe or the implementation of each of these actions, ranging from this month until December 2021.

Initiative	Main Actions/Measures	Proposed Deadline
Civil professionals licences (issuing and renewal)	<ul style="list-style-type: none"> Pilot and other civil aviation professionals licences no longer to have an expiration date; Increase the number of venue cities for the application of licence tests from current 13 to 49. 	30 days
Civil professionals licences (modernisation)	<ul style="list-style-type: none"> Use of digital documents to be allowed/encouraged; Foreign medical certificates to be allowed; Annual registry update to be automated. 	31 March 2021
Periodic trainings and flight simulators	<ul style="list-style-type: none"> Extended period for renovation of periodic simulator training by pilots; Simplification of some requirements for issuing and renewing co-pilot licences. 	30 days
Aircraft registration	<ul style="list-style-type: none"> Revised (less bureaucratic) procedures for aircraft registration; Class 2 drones (25 to 150kg) to be exempted from registration; Pilot project to implement 100% digital aircraft registry (aka RAB Digital); Revision and simplification of aircraft categories; ANAC Resolutions no. 293 and 309 to be updated within 30 days with immediate measures to simplify registration process. 	31 March 2021 (part. within 30 days)
On-board documentation	<ul style="list-style-type: none"> No need to take passenger and cargo manifests on-board for general aviation aircraft; Revised and improved regulation for special operations such as EVS, HUD, CPDCL, FRMS, etc.); Facilitated use of unregistered landing sites by agricultural aircraft (within 30 days). 	31 March 2021 (part. within 30 days)

Initiative	Main Actions/Measures	Proposed Deadline
Aircraft maintenance	<ul style="list-style-type: none"> • Remote assistance for maintenance of some kinds of aircraft to be regulated; • Procedures to issue licences/authorisations for maintenance entities to be simplified (30 days); • No further need for double certification of maintenance entities belonging to Brazilian airlines; • Consolidation and revision of sparse rules on maintenance issued by various authorities; • Issuing of digital airworthiness certificates (e-CVA) for some kinds of experimental aircraft. 	31 March 2021 (part. within 30 days)
Aircraft/parts certification	<ul style="list-style-type: none"> • New modernised and consolidated regulation on the use of aircraft and its parts; • Adoption of a new model based on FAA's <i>Field Approval</i>. 	31 March 2021
New regulation for small operators	<ul style="list-style-type: none"> • Creation of specialised regulation for "small operators" (yet to be defined) with facilitated operation requisites; • Simplified procedures for issuing of operational certificates; • Unrestricted commercialisation of courses (instruction centres not required to obtain ANAC's approval anymore); • Regulation for amphibious operation; • Facilitated certification of aeromedical operations. 	31 March 2021 (part. within 30 days)
Promoting the use of small aircraft	<ul style="list-style-type: none"> • New program to be created encouraging the acquisition/use of small aircraft (until 31 March 2021); • New regulation on the use of experimental aircraft on populated areas (30 days). 	31 March 2021 (part. within 30 days)
Legislative changes (through National Congress)	<ul style="list-style-type: none"> • Amend/update registry rules in the Brazilian Aeronautical Code; • Amend/update BAC to authorise commercial use of private use aerodromes; • Amend/update BAC to review rules on application for airline licences and other public transport authorisations; • Modernisation of rules in respect of airport tariffs; • Updated rules on overflights on the Brazilian territory. 	Bill to be presented within 30 days
Aerodromes	<ul style="list-style-type: none"> • Simplification of requirements for construction of aerodromes on remote areas; • More flexibility on noise restriction rules related to private use aerodromes; • Creation of manuals and forms to facilitate the creation of new aerodromes in remote areas. 	30 days

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