

Nationale Federatie Historische Luchtvaart



NFHL

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Tuesday, 18 December 2007

Sir/madam,

We, the National Federation Historic Aviation, wish to respond to the questions as posed in the DISCUSSION PAPER on the operation of Regulation (EC) 785/2004 on insurance requirements for air carriers and aircraft operators. We feel that we only need to respond to the questions involving or concerning our flight operations.

Our Federation represents the majority of operators of historic aircraft in the Netherlands. Our members operate small aircraft like the Tiger Moth and Harvard airplanes but also large ones like the B-25, Constellation or DC-3.

Q3: Does the insurance market provide reasonable cover for historic aircraft, taking into account the limited usage and relative low risk of third-party damage caused by such aircraft? What could be a more appropriate and proportional insurance requirement for historic aircraft?

The historic aviation community in the Netherlands feels that only insurance for the passengers, baggage and some third party liability is needed. The third party coverage in article 7 is deemed excessive and contributes to the huge increase in insurance costs for some of our members.

All vintage / historic aircraft fly a limited amount of hours annually. The large aircraft are flown only by experienced pilots, qualified to fly the particular type of aircraft. By law we have to avoid areas with people and/or buildings. As a consequence, the operation of large vintage aircraft does not pose the risks that need to be covered based by the EU Regulation. In some cases, the increase of insurance premium lead to the grounding of aircraft. Coverage for war, terrorism etc. is not needed and should not be required. Since the amount of insurance premium is based on aircraft takeoff weight one of our members, operating a Lockheed Constellation faces almost the same insurance costs as a Boeing 737 operator. In this case the annual insurance premium increased from €10,000 to €65,000. The operating cost of a vintage B-25 Mitchell bomber were increased by about 10%, this only due to the higher amount of insurance premium.

We recommend a realistic insurance system that is based on the actual risks involved and takes in account the limited amount of flight hours.

The general rules as laid down in the European regulations were **not** meant for our historic aircraft.

Q4: Is there still a need for the requirement for aircraft operators to have insurance

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cover for damage to third parties due to risks of war or terrorism in respect of non-commercial operations?

In our opinion there never was a need for this coverage in our kind of operation. War and terrorism risks are nonexistent in our non-commercial flying.

Q7: Would there be benefits of creating a universal EU insurance certificate for air carriers and aircraft operators?

Since the differences between air carriers and historic aviation are vast we feel that this is impossible. The historic aviation community in Europe should come together and be consulted in the decision making process. At this moment there is a movement in the European historic aviation community toward working together and towards better representation in the European theatre. We feel that exemption of Regulation (EC) 785/ 2004 would be the easiest course of action.

Q15: Is it still seen necessary to have harmonised insurance requirements for non-commercial aircraft operators? What would be the impact of exempting non-commercial aircraft operators from the scope of the Regulation?

If non-commercial aircraft operators would be exempted this would simplify things enormously. The non-commercial operators could work out realistic insurance coverage with their insurance givers. We also expect the market to work better and insurer competitiveness to increase.