

APPENDIX A to SC3B
CHANGES OF IGC-APPROVAL LEVEL
(amended by AL 8 October 2012)

A1 Changes of approval level. If GFAC proposes to lower the approval level of a type of IGC-approved recorder, this will be discussed in confidence with the manufacturer and then with the IGC ANDS Committee. As much notice as possible will be given to the manufacturer so that there is the opportunity of offering an upgrade that will retain the existing approval level. The IGC Bureau may also be informed if appropriate.

A1.1 After these discussions, if GFAC still decides to recommend a lowering of the approval level it will then make a detailed recommendation to the IGC Bureau. The Bureau will then assess all of the evidence and make a decision. If, as part of this process, the Bureau seeks comments other than from IGC Committees, the use of confidential or proprietary information will be avoided.

A1.2 If the decision is to lower the approval level, this will be announced on the IGC web page, to the FAI IGC discussion group (igc-discuss@fai.org) and on the international soaring newsgroup (rec.aviation.soaring) avoiding confidential or proprietary information. The next IGC Plenary meeting will be informed as part of the normal procedure for confirmation of Bureau decisions that were made between Plenaries.

A2 Factors in Lowering Approval Levels. These include the following.

A2.1 False Data. Evidence that flight data from an IGC-approved recorder has been, or can relatively easily be, manipulated or altered. For instance, if it can be shown that the secure areas in an IGC file (Such as data in a B- fix-record line(s)) can be changed and the file continues to pass the IGC electronic Validation check.

A2.2 FR Security. Evidence that the security of the FR itself has been compromised, or could relatively easily be compromised. This includes where security devices in the FR could be by-passed.

A2.3 Dates of Change. In the above cases, the lowering of IGC-approval level will take effect at a date agreed between ANDS/GFAC and the Bureau. Where there is a risk that compromised data could be submitted for flight claims from other recorders of the same type, this could be a date soon after the public announcement of the Bureau decision.

A2.4 Other factors. If the approval level is to be lowered for reasons other than those above, the date of implementation will be decided by the Bureau. This will not normally be less than between 6 and 12 months after the date of the public announcement of the Bureau decision.

A3 Appeal against a lowering of approval level. The manufacturer of the recorder or any entity with a direct interest (which must be shown in the appeal papers) in that type of recorder (the "appellant") may appeal to the IGC Bureau to have the decision reviewed. Pending the result of the appeal, the decision and its implementation timescale will stand.

A3.1 Making an Appeal. Within one calendar month of the public announcement, the appellant must notify the IGC President, and pay an appeal fee of 500 Euros to the IGC account at FAI 1. The fee is refundable if the appeal is upheld. The full case for the appeal must be received by the IGC President or his nominee within a further calendar month. Communication should be by email and include attachments, pictures and diagrams as appropriate.

A3.2 Appellant's Agreement. In submitting the appeal, the appellant agrees to accept the result, which is at the sole discretion of FAI as the legal entity, its agent IGC, its agents the IGC Bureau, Committee members and advisors. The appellant also agrees not to institute proceedings against the FAI or its agents including any person who was involved on behalf of FAI or IGC.

A3.3 Appeal Evidence. The appeal must include evidence in support so that the Bureau can assess it and consider whether their previous decision should be changed. Where technical evidence is submitted, this will be assessed by technical experts nominated by the Bureau which will include the ANDS and GFA Committees and their technical advisors, and, where necessary, independent experts.

A3.4 Decision on the Appeal. The decision on the appeal is the responsibility of the IGC Bureau, but it may nominate specific members and/or experts to deal with the detail of the appeal and make recommendations to the full Bureau. A decision will normally be made within one calendar month of receiving all of the evidence from the appellant, but if technical detail has to be assessed the timescale may be longer. The decision will be sent to the appellant before any public announcement is made.

¹ References for the FAI account are available from the FAI office and the Chairmen of the IGC ANDS and GFA Committees