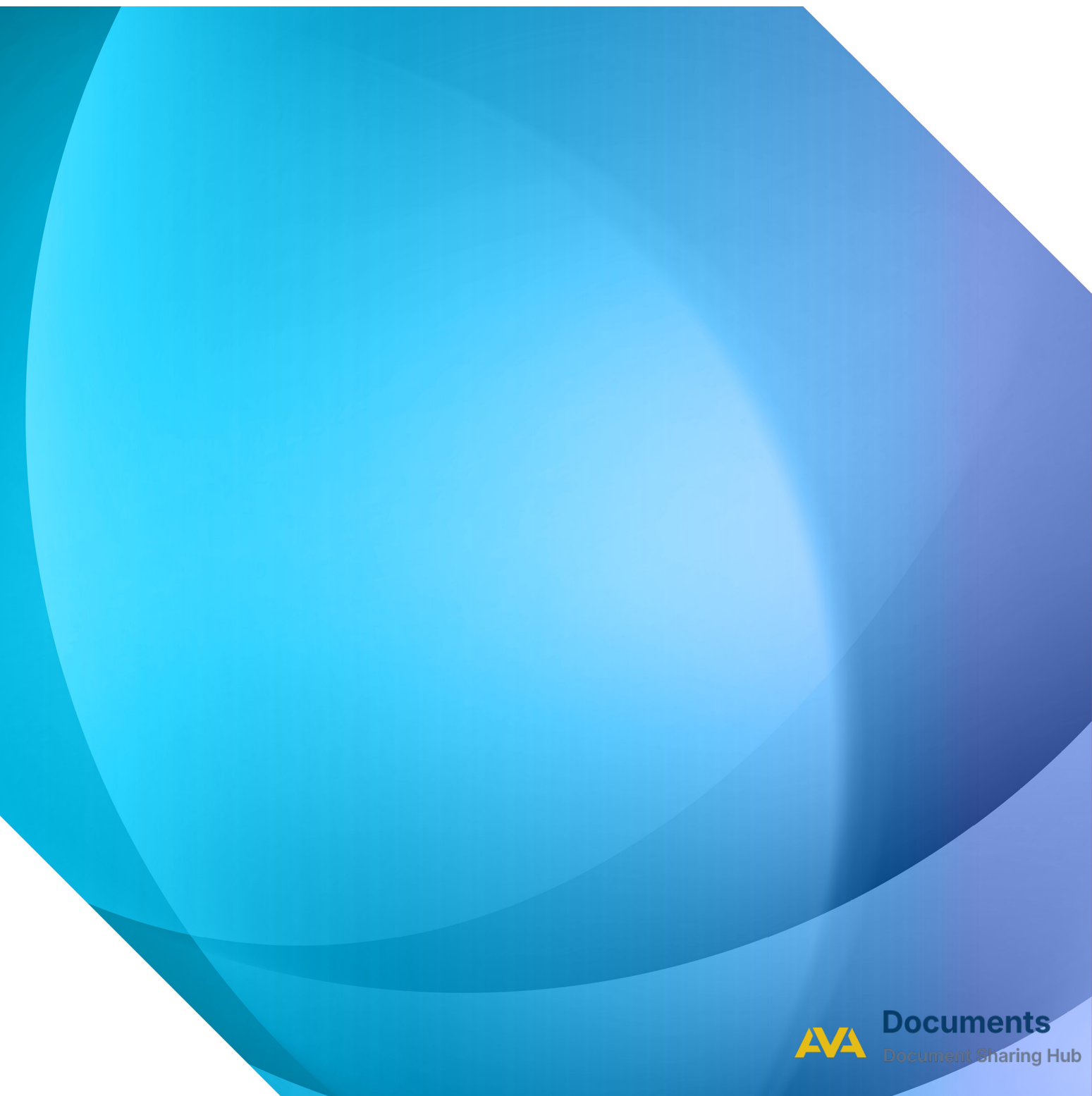


Consultation: UK Cost Shared Flights

CAP 2270



Published by the Civil Aviation Authority, 2021

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Chapter 1

Introduction

- 1.1 Pilots have long used cost sharing flights to reduce some of the high costs of owning and operating aircraft. Examples of these cost sharing flights include sharing aircraft rental costs with friends or family or with a member of a flying club to fly to help build hours. The United Kingdom Civil Aviation Authority (UK CAA) allows pilots to share certain flight expenses with passengers so long as the pilots meet a number of requirements.
- 1.2 Cost sharing flights are flights shared by private individuals. The 'cost-share' element refers to the costs of the specific flight which can be shared only between the pilot and others onboard the aircraft. These costs are the 'direct costs' which are the costs directly incurred in relation to a specific flight (e.g. fuel, airfield charges, rental fee for an aircraft).
- 1.3 There can be no element of profit for the pilot as these flights are not commercial, and if profit is suspected then the flight might be operating outside of the regulations and therefore be illegal. The pilot must pay a contribution to these direct costs.
- 1.4 One of the main benefits of cost-sharing is the potential for pilots to gain experience at a lower cost to themselves. In non-commercial aviation the safety level of a flight is not determined by the giving of remuneration or other valuable consideration, however, when money changes hands for a service, there is an expectation of a resultant level of safety standards being applied.
- 1.5 One of the problems encountered when dealing with cost sharing flights is where pilots and passengers of Illegal Commercial Air Transport collude to present illegal flights as legal cost shared flights.

Background

- 1.6 In 2021 the UK CAA established an internal working group to review the cost sharing regulations.
- 1.7 The cost sharing rules are contained in a derogation within the Air Operations Regulation (EU) 965/2012 as retained (and amended in UK domestic law under the European Union (Withdrawal) Act 2018 (*hereafter referred to as Air Operations regulation*)), the UK Air Navigation Order 2016 (ANO) Article 13 and subsequent Official Record Series (ORS) 4 exemptions which aligns those aircraft which were not subjected at the time to the Air Operations regulation to that derogation.

- 1.8 The working group focused on reviewing the rules of cost sharing flights and whether those current rules are fit for purpose for the dynamic and evolving GA community in accordance with the CAA's regulatory principals below:
- Understanding and addressing risk
 - Delivering unique value
 - Acting proportionately
 - Engaging proactively and transparently
 - Acting on our combined insight
- 1.9 This consultation document concentrates on the output of the working group and their recommendations to update the cost shared flights regulations whilst considering these principles which are an articulation of the CAA's regulatory approach, designed to improve safety and consumer protection outcomes.

How to respond and next steps

How to respond

- 1.10 We would welcome your views on the proposed changes to the cost sharing regulations presented within this consultation. A full list of the consultation questions can be found in Chapter 5.
- 1.11 Responses to this consultation can be submitted via our [online consultation](#) by no later than 12 January 2022.
- 1.12 Any enquiries regarding this consultation should be submitted via email to ga@caa.co.uk.

Next steps

- 1.13 Following the closure of this consultation, the CAA will review all the comments received. Based on these comments, we will consider any need to amend the cost sharing regulations and will issue a Comment Response Document (CRD) outlining the decision. A summary of the comments received will be provided in the CRD.
- 1.14 A proposal would then be submitted to the CAA's and Department for Transport (DfT)'s joint rulemaking committee, who will use it as a technical basis to decide whether or not to amend the current regulations, taking into account rulemaking priorities.
- 1.15 If the rulemaking committee decides that the regulations should be amended, the CAA will issue an Opinion and Instruction to the DfT in order to amend the applicable regulations at the next available opportunity in Parliament. The Opinion would be published before the amendment is made.