

Issued: 10 April 2015

Cost-Sharing, Sailplane Towing, Parachute Dropping, Flying Competitions and Introductory Flights by Private Pilots

This Information Notice contains information that is for guidance and/or awareness.

Recipients are asked to ensure that this Information Notice is copied to all members of their staff who may have an interest in the information (including any 'in-house' or contracted maintenance organisations and relevant outside contractors).

Applicability:	
Aerodromes:	Not primarily affected
Air Traffic:	Not primarily affected
Airspace:	Not primarily affected
Airworthiness:	Not primarily affected
Flight Operations:	All AOC Holders and General Aviation Pilots
Licensed/Unlicensed Personnel:	All ATO and Registered Facilities and All Pilots

1 Introduction

- 1.1 This IN has been reissued to highlight the changes to the GA Community and to provide the additional guidance and FAQ list in sections 7 to 10. This IN, including the guidance and FAQ list is provided to help support individuals and organisations to take advantage of these less restrictive rules whilst remaining within the law.
- 1.2 This Information Notice supersedes Information Notice IN-2014/093.
- 1.3 Under the European Aviation Safety Agency (EASA) Regulations, a flight in respect of which payment changes hands becomes a commercial air transport operation (if the payment is to carry passengers) or a commercial specialised operation (if the payment is to carry out an airborne task). Under the Air Navigation Order 2009 ([ANO](#)) a similar position exists, but with different terminology:
 - public transport not commercial air transport, and
 - aerial work not commercial specialised operation.
- 1.4 Under both the EASA Regulations and the ANO, such flights, where payment has been made, are subject to a greater degree of regulation than private flights. For example, a commercial pilot licence is generally needed to fly an aircraft on such a flight.

- 1.5 The ANO has long contained exceptions to this general rule, so that some flights in respect of which payment is made are deemed to be private and thus subject only the requirements applicable to private flights. These exceptions are set out in Part 34 of the ANO (see [Guide](#) to these exceptions).
- 1.6 The EASA Air Operations Regulation was amended in 2014 to include some exceptions of its own, similar to some of the exceptions in the ANO. Two of these EASA exceptions go further than the ANO:
- the EASA exception allowing cost sharing permits up to 6 persons to share the cost with no minimum contribution and no restriction on advertising, and
 - an EASA exception allows introductory flights, described in more detail below.
- 1.7 The CAA has responded by issuing two general exemptions, so that:
- the ANO cost sharing exception now mirrors the EASA equivalent, and
 - introductory flights are also deemed to be private under the ANO.
- 1.8 The effect of all this is that a cost sharing flight and an introductory flight (in both cases which complies with the detailed conditions described below) may be flown by a private pilot and will be subject only to the operating and other requirements applicable to a private flight.

2 Scope

- 2.1 The scope of the provisions for these flights is limited to **'other-than-complex motor-powered aircraft'** (as defined in [Regulation \(EC\) No. 216/2008](#)) being operated on one of the types of flight set out below:
- cost-sharing by private persons;
 - introductory flights, sailplane towing, parachute dropping and aerobatic flights, and
 - competition flights and flying displays.

3 Cost-Sharing by Private Persons

- 3.1 The maximum number of private persons who must share the direct costs (and only the direct costs) of the flight is increased from four to six (including the pilot), and the requirement for those costs to be shared equally and for the flight not to be published or advertised is removed.
- 3.2 The Guidance Material GM2 Article 6.4a(a);(b) of the Operations Regulation states that:
- 'Direct cost' means the cost directly incurred in relation to a flight, e.g. fuel, airfield charges, rental fee for an aircraft. There is no element of profit.'*
- 3.3 It should be noted that the sharing of annual costs is not permitted under this arrangement. The Guidance Material GM3 Article 6.4a(a);(b) of the Operations Regulation states that:
- 'Annual cost' means the cost of keeping, maintaining and operating the aircraft over a period of one calendar year. There is no element of profit.'*

4 Introductory Flights, Sailplane Towing, Parachute Dropping and Aerobatic Flights

- 4.1 The holder of an EASA PPL or LAPL, UK PPL or NPPL(A) that is valid for the aircraft to be used may act as Pilot in Command (PIC) on introductory flights, parachute dropping, sailplane towing or aerobatic flights performed either by a training organisation having its principal place of business in the UK and approved in accordance with Regulation (EU) No. 1178/2011 (i.e.

an Approved Training Organisation), or by an organisation created with the aim of promoting aerial sport or leisure aviation, on the condition that:

- the aircraft is operated by the organisation on the basis of ownership or dry lease;
- the flight does not generate profits distributed outside of the organisation, and
- whenever non-members of the organisation are involved, such flights represent only a marginal activity of the organisation.

4.2 The Guidance Material GM1 Article 6.4a(c) of the Operations Regulation states that:

'An 'organisation created with the aim of promoting aerial sport or leisure aviation' means a non-profit organisation, established under applicable national law for the sole purpose of gathering persons sharing the same interest in general aviation to fly for pleasure or to conduct parachute jumping. The organisation should have aircraft available.'

4.3 Article 2 of Regulation (EU) No. 965/2012, as amended by Regulation (EU) No. 379/2014, states that:

'Introductory flight' means any flight against remuneration or other valuable consideration consisting of an air tour of short duration, offered by an approved training organisation or an organisation created with the aim of promoting aerial sport or leisure aviation, for the purpose of attracting new trainees or new members.'

4.4 NCO.GEN.103 (Introductory flights) of the Operations Regulation states that the flights shall:

- (a) start and end at the same aerodrome or operating site, except for balloons and sailplanes;
- (b) be operated under VFR by day;
- (c) be overseen by a nominated person responsible for their safety, and
- (d) comply with any other conditions stipulated by the competent authority.

4.5 GM2 Article 6.4a(c) of the Operations Regulation states that:

'The term 'marginal activity' should be understood as representing a very minor part of the overall activity of an organisation, mainly for the purpose of promoting itself or attracting new students or members. An organisation intending to offer such flights as regular business activity is not considered to meet the condition of marginal activity. Also, flights organised with the sole intent to generate income for the organisation are not considered to be a marginal activity.'

4.6 The Guidance Material GM1 ARO.OPS.300 (Introductory flights) of the Operations Regulation states that:

'For introductory flights carried out in the territory of the Member State, the competent authority may establish additional conditions such as defined area of the operation, time period during which such operations are to be conducted, safety risk assessments to be accomplished, aircraft to be used, specific operating procedures, notification requirements, maximum distance flown, pilot qualification, maximum number of passengers on-board, further restrictions on the maximum take-off mass.'

4.7 The CAA has not imposed such conditions but instead recommends that operators apply their own conditions based on their assessment of the risk to the occupants of the aircraft. This should include: