

Miscellaneous

No: 1518

UK Regulation (EU) 2018/1139
UK Regulation (EU) 2018/395
UK Regulation (EU) 2018/1976
Air Navigation Order 2016

Publication date: 22 November 2021

General Exemption E 5590

The Requirement to hold a Part-BFCL Balloon Pilot Licence (BPL) or Part-SFCL Sailplane Pilot Licence (SPL).

Background

- 1) This exemption is issued to meet an urgent unforeseeable circumstance and urgent operational need as the Aviation Safety Amendment (No.3) Regulations 2021 do not extend to include balloon licences or British Glider Association ("BGA") certificates issued on or after 08 April 2020.

Interpretation

- 2) In this exemption, references to EU regulations are to those regulations as retained and amended in UK domestic law under the European Union (Withdrawal) Act 2018 and are referenced hereafter as "UK Regulation (EU) year/number" or "UK Regulation (EU) No. number/year".

Exemption

- 3) The Civil Aviation Authority ("the CAA"), pursuant to Article 71(1) of UK Regulation (EU) 2018/1139 and Article 266 of the Air Navigation Order ("the Order"), exempts holders of the licences and certificates specified in paragraph 4 from the requirements of Article 3(b) of UK Regulation (EU) 2018/395, Article 3(b) UK Regulation (EU) 2018/1976 (together, "the retained European Regulations") and Article 136 of the Order namely, to hold an appropriate UK Part-BFCL or Part-SFCL licence in order to act as pilot-in-command of a Part 21 balloon or sailplane, subject to the conditions referred to in paragraph 5.
- 4) This exemption applies to holders of the following licences issued under Article 152 of the Order and certificates issued by the BGA, issued in all cases after 08 April 2020 (together, "the Licences"):
 - a) Private Pilot's Licence (Balloons and Airships) ("PPL(BA)"),
 - b) Commercial Pilot's Licence (Balloons) ("CPL(B)"), and
 - c) Glider Pilot Certificate ("GPC").

- 5) This exemption is subject to the following conditions.
- a) The PPL(BA) and CPL(B) licences must have been issued by the CAA, and the GPC by the BGA.
 - b) Licence/certificate holders must only operate flights:
 - i) in a United Kingdom (G) registered Part 21 balloon, airship or glider/sailplane aircraft (as defined in Schedule 1 to the Order);
 - ii) in the following areas:
 - 1) within the United Kingdom; or
 - 2) with the permission of the relevant authority, in the airspace of another country, or
 - 3) with the permission of the relevant authority, within a Crown Dependency,
 - iii) in day or night Visual Flight Rules ('VFR'), unless, in the case of GPC holder, the holder has the Cloud Flying endorsement.
 - c) PPL(BA) and CPL(B) holders must hold and maintain the privileges which entitles the holder to act as Pilot in Command (PIC) in accordance with Article 154 of the Order.
 - d) GPC holders must hold and maintain privileges which entitles the holder to act as PIC in accordance with the relevant BGA rules.
- 7) This exemption supersedes Official Record Series 4 No.1475, which is revoked.

Date in Force

- 8) This exemption has effect from the date of signature until 01 July 2022, both dates inclusive, unless previously revoked.

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22 November 2021